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**UNSC'S EXPANSION: PROSPECTS FOR CHANGE
AND IMPLICATIONS FOR THE REGIONS AND THE
WORLD**

by

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December 2015

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**UNSC'S EXPANSION: PROSPECTS FOR CHANGE AND IMPLICATIONS
FOR THE REGIONS AND THE WORLD**

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ABSTRACT

The United Nations was formed in 1945 in San Francisco; its founding aim was to avert catastrophes like World War II. The U.N. Security Council (UNSC) is the most powerful organ of the U.N., which is responsible for maintenance of international peace. The five permanent members of the UNSC, collectively referred to as P5, possess veto power. The composition and power distribution among members of the UNSC has remained controversial ever since its existence, and therefore, demand has been raised for changing the council's composition and structure.

Since the inception of the U.N., various reform efforts, especially to expand the UNSC, have been attempted from time to time. So far, all have failed. Since 2004, the reform process has gained renewed momentum, thanks to the interest of various influential countries that are seeking a seat at the UNSC for themselves.

This thesis examines how expanding the UNSC would affect global security. Which likely effects would current reform proposals, if approved, have in the regions and the world? Finally, the thesis examines the implications for Pakistan and the South Asian region, in case India becomes a permanent member of the UNSC.

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LIST OF ACRONYMS AND ABBREVIATIONS

AU	African Union
CFL	Cease-fire Line
DRC	Democratic Republic of Congo
ECOSOC	Economic and Social Council
G4	Group of Four Countries (Germany, India, Brazil, and Japan)
IDP	Internally Displaced Person
INTERFET	International Force for East Timor
IWT	Indus Water Treaty
LOC	Line of Control
P5	Permanent Five Members
PKO	Peacekeeping Operation
PKF	Peacekeeping Forces
TCC	Troop Contributing Countries
U.N.	United Nations
UNAMIR	United Nations Assistance Mission in Rwanda
Ufc	United for Consensus Group Countries
UNCIP	United Nations Commission for India and Pakistan
UNMOGIP	United Nations Military Observers in India and Pakistan
UN HLP	United Nations High-Level Panel
UNO	United Nations Organization
UNSC	United Nations Security Council
UNSG	United Nations Secretary General
UNTAET	United Nations Transition Administration in East Timor
WMD	Weapons of Mass Destruction

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I. INTRODUCTION

The United Nations (U.N.) was formed in 1945 in San Francisco; its founding aim was to avert catastrophes like World War II.¹ The United Nations Security Council (UNSC) is the most powerful organ of the U.N., which is responsible for maintenance of peace and security in the world.² After World War II, five powerful members of the winning coalition, the United States, Russia (formerly the Soviet Union), China, the United Kingdom, and France—collectively referred to as the P5—awarded themselves an extraordinary tool: veto power; that is, the power to block a resolution even if it is passed by an overwhelming majority of the council members.³ The composition and power distribution among members of the UNSC has remained controversial ever since its existence. In 1945 in San Francisco, for example, Brazil demanded a permanent seat for Latin America.⁴

Since the inception of the U.N., various reform efforts, especially to expand the U.N. Security Council, have been attempted from time to time. So far, all have failed for many reasons: the resistance of the P5 states in sharing their unique status and power, the difficulty of amending the U.N. Charter, and complex selection criteria creating a lack of consensus among aspirants⁵ and challengers.⁶ Since 2004, the reform process has gained renewed momentum

¹ John Allphin Moore and Jerry Pubantz, *The New United Nations: International Organization for Twenty-First Century* (Upper Saddle River, NJ: Pearson Prentice Hall, 2006), 55.

² Adérito R. Vicente, "United Nations Security Council Reform: The Question of the Veto Power," *Multilateral Diplomacy Summer School—Student Papers* (2013), 21.
https://www.unitar.org/ny/sites/unitar.org/ny/files/Multilateral%20Diplomcy%20Paper_final%20version_online%20publication.pdf#page=20.

³ *Ibid.*, 56.

⁴ Moore and Pubantz, *New United Nations*, 56.

⁵ Terms "aspirants" and "challengers" are used in this paper to denote Group of Four (G4) and United for Consensus group (UFC) countries, respectively.

⁶ Nadia Sarwar, "Expansion of the United Nations Security Council," *Strategic Studies XXXI*, no. 3 (September 2011),
<http://search.proquest.com.libproxy.nps.edu/docview/1231703456?accountid=12702>.

thanks to the interest of various influential countries that are seeking a seat at the UNSC for themselves.⁷

India has also emerged as one of the strong contenders for a permanent seat at the UNSC. India asserts that it is the largest democracy, rising economic and military power, and is home to over one billion people, and therefore deserves to be represented at the UNSC as a permanent member.⁸ The current enlargement proposals of U.N. Secretary General constituted High Level Panel (HLP) on “threats, challenges and change” and Group of Four (G4) countries—comprising Germany, Japan, Brazil, and India—will have serious implications for the world, especially for South Asia. These proposals, if approved, would affect the regional balance of power, preclude the necessary consensus on security issues, and exacerbate the frustration of the second-tiered countries, such as Italy, South Korea, Argentina, Pakistan, Indonesia, and Malaysia.⁹

India’s collective claim alongside Germany, Brazil, and Japan has raised its chances of membership in the reformed UNSC. However, G4 has received strong opposition from regional rivals, such as Pakistan, China, South Korea, Argentina, Mexico, Italy, and Spain.¹⁰ These regional rivals are commonly referred to as the “united for consensus” (Ufc) group. Ufc countries are opposed to expansion of the UNSC’s permanent membership.¹¹ The group has introduced its own enlargement proposal. Apart from expansion in the existing non-permanent category, the group has also introduced a new category of semi-

⁷ Lydia Swart and Cile Pace, “Changing the Composition of the Security Council: Is there a Viable Solution?” *Center for U.N. Reform Education* (March 2015): 1–2.

⁸ Shairi Mathur, *Voting for the Veto: India in a Reformed U.N.*, (London: Foreign Policy Centre 2005), 20.

⁹ Yehuda Z. Blum, “Proposals for U.N. Security Council Reform,” *The American Journal of International Law* 99, no. 3 (July 2005): 632–649, <http://www.jstor.org/stable/1602295>.

¹⁰ Shiwei Jiang, “U.N. Security Council Reform,” *ODU Model of United Nations Society* (2011): 2–3, <https://www.odu.edu/content/dam/odu/offices/mun/2011/legal/issue-brief-2011-un-security-council-reform.pdf>.

¹¹ Daniel Trachsler, “U.N. Security Council Reform: A Gordian Knot,” *Center for Security Studies (CSS), ETH Zurich*, 72 (April 2010): 1–3, <http://e-collection.library.ethz.ch/eserv/eth:1585/eth-1585-01.pdf?pid=eth:1585&dsID=eth-1585-01.pdf>.

permanent membership. In this category of semi-permanent membership, member countries would be elected for a term of four years with a provision of immediate re-election¹²—in the current system of nonpermanent membership, countries cannot be reelected before a stipulated time. Like current non-permanent members, the semi-permanent members will not have the privilege of veto power.

A. MAJOR RESEARCH QUESTION

This thesis examines how expanding the U.N. Security Council would ramify in global security. Which likely effects would the current reform proposals, if approved, have in the regions and the world? Finally, the thesis examines the implications for Pakistan and the South Asian region in case India becomes a permanent member of the UNSC.

B. SIGNIFICANCE OF THE RESEARCH QUESTION

The UNSC is the most authoritative institution of the U.N. and the only legitimate international organization that can pass binding resolutions, impose sanctions, and authorize use of force. Permanent members of the UNSC possess veto power that empowers them to block any resolution even if passed by majority of the members.¹³

The veto power was primarily given to avoid conflicts among states, prevent stalemate in the formation of the U.N., and give exclusive authority to the P5 to authorize or prevent the use of force through mutually-agreed decisions.¹⁴ However, instead of using the veto power to maintain peace and security, permanent members have most often used the veto power in their national interest or in the interests of their allies. For instance, during the Cold War,

¹² Mark Imber, "The Reform of the U.N. Security Council," *International Relations* 20, no. 3 (2006), 331, <http://ire.sagepub.com.libproxy.nps.edu/content/20/3/328.full.pdf+html>.

¹³ Ian Hurd, "Myths of Membership: The Politics of Legitimation in U.N. Security Council Reform," *Global Governance* 14, no. 2 (April–June 2008): 199–217, <http://www.jstor.org.libproxy.nps.edu/stable/27800702>;

¹⁴ Moore and Pubantz, *New United Nations*, 55.

Russia regularly used the veto power to block the membership of newly independent countries.¹⁵ Similarly, the United States has consistently used veto power to protect the national interests of Israel.¹⁶ The framers of the charter had envisioned a two-tiered council for two reasons: to prevent replicating the weaknesses of the League of Nations, and to award extraordinary power to those countries that had contributed more to the defeat of the Axis powers.

Most global powers seek to justify their actions in terms of the U.N. Charter or resolutions of the UNSC.¹⁷ Membership in the U.N. Security Council is seen as bestowing an important political and diplomatic status; thus it is essential for countries that seek to play a global leadership role. Acknowledging the extraordinary power of the U.N. Security Council and significance that the member states attach to it, Edward C. Luck stated:

At San Francisco and ever since, no reform issue has attracted nearly the high-level attention, public interest, or partisan passion as the matter of changing the composition, decision-making rules, and working methods of the Security Council. This testifies, of course, to the importance ... that member states and publics alike attach to the work of the Council. The core of the debate ... has revolved around two competing contentions that have proven exceedingly difficult to reconcile. On the one hand, it is claimed today, as it was vociferously in San Francisco, that the two-tiered structure and voting rules of the Council are grossly inequitable. On the other hand, it is argued by others with equal conviction that these perceived inequities of permanent membership and veto power for five big powers are precisely the qualities that have allowed the Security Council not only to survive four decades of Cold War but to accumulate record achievement and relevance unmatched either by other U.N. intergovernmental bodies or by its

¹⁵ C. L. Lim, "The Great Power Balance, the United Nations and What the Framers Intended: In Partial Response to Hans Köchler," *Chinese Journal of International Law*, Vol. 6, No. 2 (June 10, 2007), 309, doi:10.1093/chinesejil/jmm008.

¹⁶ Lowe, Vaughan, Adam Roberts, Jennifer Welsh, and Dominik Zuan, ed., *The United Nations Security Council and War: The Evolution of Thought and Practice since 1945*, 2008), 20.

¹⁷ Imber, "Reform of the U.N. Security Council."

less distinguished predecessor, the Council of the League of Nation.¹⁸

The argument continues that the special power of veto to a few countries hinders the efficiency and effectiveness of the current institution because many influential and globally powerful countries are not represented at the UNSC. Additionally, certain important regions such as Africa and Latin America are also not represented at the council, which affects the council decisions and their implementation.¹⁹ The permanent members of the UNSC can use membership of the UNSC to advance their security and economic goals.²⁰ Additionally, permanent members are globally more relevant than non-members. For instance, the United Kingdom, though a smaller country as compared to India, possesses more diplomatic weight than India.

The reform process, especially after 1995, has been viewed as an important event within the global forum. Reform tends to mean expansion of the UNSC. In 2005, for example, Nicholas Burns, Undersecretary of State for Political Affairs, while giving testimony before the U.S. Senate Foreign Relation committee, stated, "Many nations have expressed the view that the Security Council, the U.N.'s most powerful body, should be enlarged from its current composition...to become more representative of today's world."²¹

Proponents of reform argue that the council still reflects the power structure of World War II; the world mosaic has considerably changed since then, they assert, and therefore the current composition of the council must be changed or expanded. Trachsler stated, "The current composition of the U.N.'s most powerful organ does not represent contemporary geopolitical and geo-economic realities, but is rather a reflection of the constellation of powers at the

¹⁸ Edward C. Luck, "Principal Organs," in *The Oxford Handbook on the United Nations*, eds. Thomas George Weiss and Sam Daws (Oxford: Oxford University Press, 2007), 659–60.

¹⁹ Swart and Pace, "Changing the Composition," 2–3.

²⁰ Jiang, "U.N. Security Council Reform," 2–3.

²¹ "U.S. Views on U.N. Reform, Security Council Expansion." *The American Journal of International Law* 99, no. 4 (October 2005): 907, available at, <http://www.jstor.org/stable/3396686>.

end of World War II, which diminishes its legitimacy.”²² These proponents criticize the undemocratic and non-representative structure of the UNSC, including veto power to the P5; they further argue that non-representation of certain geographic regions and exclusion of emerging powers—notably India, Japan, Germany, and Brazil—has made the council less effective or legitimate.²³ Furthermore, according to McDonald and Patrick, “An unchanged UNSC will become increasingly ineffective in addressing today’s security challenges, which demand cohesive, broad-based multilateral responses.”²⁴ Supporters of enlargement of the UNSC link effectiveness of the council with broader and equitable representation.

Opponents of the reforms, especially of expanding the UNSC, argue that “[t]he UNSC is not experiencing a crisis of legitimacy, stating that it remains the most effective of all U.N. organs and that the UNSC’s permanent structure still reflect the leading political and military power.”²⁵ They argue that expansion of the UNSC will slow down the decision-making process even further; if the current five permanent members so rarely achieve consensus on crucial issues of peace and security, an enlarged council is even less apt to reach decisions.

Furthermore, opponents of expansion contend that if the veto power is undemocratic, it cannot be made democratic by adding more members; rather, efforts should be made to reform the voting process and use of veto. In this context, Swart and Pace asserted: “If veto rights make the Council dysfunctional at times, why increase the number of permanent seats?”²⁶ The current reform proposals presented by the G4, Ufc group, African Union, and UHL panel provide conflicting and contradictory views, which if implemented will create regional

²² Trachsler, “U.N. Security Council Reform,” 1.

²³ Vicente, “United Nations Security Council Reform,” 19–38.

²⁴ Kara C. McDonald and Stewart M. Patrick, *Security Council Enlargement and U. S. Interests* (New York, NY: Council on Foreign Relations, 2010), <http://site.ebrary.com/libproxy.nps.edu/lib/nps/docDetail.action?docID=10554825&ppg=1>.

²⁵ Vicente, “United Nations Security Council Reform,” 26.

²⁶ Swart and Pace, “Changing the Composition, 2.

conflicts, disturb regional balance of power, and divide the nations over global security challenges rather than unite them.

C. LITERATURE REVIEW

A large core of literature exists on U.N. reforms, its working procedure, decision-making process, expansion of the U.N. Security Council, and use of veto power. Sundry panel reports, books, journal articles, and think-tank reports range from the history, role, and working procedure of the UNSC to attempts at expansion made time to time since the 1960s. However, much less literature exists on the implications of current reform proposals on the regional balance and peace. Additionally, the criteria established by U.N. High-Level Panel (HLP) for the selection of new permanent members are either vague or are not evaluated in detail.

1. Background of UNSC Reform

Soon after the formation of the U.N., the demand to expand the UNSC was raised; in 1965, these demands finally materialized, the charter was amended, and six new members were added to the nonpermanent category of the UNSC.²⁷ Since that time, repeated attempts to expand the UNSC, especially in the permanent category, have failed due to rejection by the P5.

During the Cold War, the UNSC remained mostly paralyzed. However, after the Cold War, once again demands for expansion and inclusion of new members began to surface, especially in the permanent category. Accordingly, since the end of the Cold War, serious efforts have been undertaken to expand the UNSC's permanent and nonpermanent membership. For example, in 1992, the U.N. General Assembly passed Resolution 47/62, "The Question of Equitable Representation on and Increase in the Membership of the Security Council," which called for written comments from member states "on a possible review of the membership of the Security Council"—the U.N. General Assembly (UNGA),

²⁷ Dimitris Bourantonis, *The History and Politics of U.N. Security Council Reform* (London: Routledge London, 2005), 14.

through its Resolution 47/62, decided to include the item in the provisional agenda of the forty-eighth session.²⁸ Similarly, in September 2003, U.N. Secretary General (UNSG) formed a High-Level Panel (HLP) on “Threats, Challenges and Change” to propose the reform of the UNSC.

In December 2004, the panel submitted its report, “A More Secure World: Our Shared Responsibility.” The panel suggested two enlargement models: Model A and Model B. Both the models recommended enlargement in both the permanent and nonpermanent categories; however, Model B introduced a new category of semi-permanent membership.²⁹

The recommendations of HLP on “*Threat Challenges and Change*” triggered swift actions from major countries and regional groups, demanding seats for themselves and their regions. Three main groups have emerged in the process: the so-called Group of Four (G4), United for Consensus Group (Ufc), and the African Union (AU).³⁰

a. Group of Four (G4)

Brazil, Germany, India, and Japan, known as the G4, have proposed expansion of the council in both permanent and nonpermanent categories in a draft resolution. In their joint resolution presented in the U.N. General Assembly (A/59/L64, July 2005), they collectively recommended the increase of six permanent and four nonpermanent members, thus increasing membership from 15 to 25.³¹ They kept the demand for veto power for additional members ambiguous.³² The G4 model has recommended four permanent seats for G4 countries and two seats for African Countries. The G4 argues that it has the will

²⁸ U.N. General Assembly, U.N. General Assembly Resolution 47/62, the Question of Equitable Representation on and Increase in the Membership of Security Council, (August, 1993): available at [http://www.un.org/ga/search/view_doc.asp?symbol=a/47/49\(Vol.I\)](http://www.un.org/ga/search/view_doc.asp?symbol=a/47/49(Vol.I)) .

²⁹ U.N. High-level Panel on Threats, Challenges and Change. *A More Secure World: Our Shared Responsibility*, 2004, <http://www.un.org/secureworld/report.pdf>.

³⁰ Sarwar, “Expansion of Security Council,” 257–279.

³¹ Vicente, “United Nations Security Council Reform,” 30.

³² Ibid.

and capacity to play a global leadership role, thus it should be accepted as permanent members of the UNSC.

b. African Union (AU)

The AU has proposed six permanent, five nonpermanent seats, expanding the size of the Council to 26 members.³³ Accordingly, the AU has demanded two permanent and two additional nonpermanent seats for Africa—the group argues that Africa is underrepresented in the current structure of the Council.³⁴ Furthermore, the AU demands the same power and privileges as that of the current P5, including veto power. Interestingly, the AU has not identified its potential candidates for permanent seats in the enlarged UNSC.

c. United for Consensus Group

In the United for Consensus group (Ufc), prominent countries such as Italy, Mexico, Pakistan, Canada, Argentina, and South Korea—mainly regional rivals G4 countries—oppose expansion of the UNSC in the permanent category. The Ufc argues that permanent membership is discriminatory and unjust, and therefore there should be no expansion in the permanent membership of the UNSC. The group bases its argument on the equality of all states and opposes any discrimination. It contends that enlargement in the permanent category will divide the nations rather than unite them. Additionally, the group asserts that the argument of geographical representation is invalid because a country may be from a particular region, but it does not represent all the countries in that region. The group has proposed ten additional nonpermanent members, thus increasing the current membership from 15 to 25.³⁵

³³ Ibid.

³⁴ African Union, “The Common African Position on the Proposed Reform of the United Nations: The Ezulwini Consensus,” *Ext/EX.CL/2 (VII), Executive Council, 7th Extraordinary Session* (2005), 7–8, http://responsibilitytoprotect.org/AU_Ezulwini%20Consensus.pdf.

³⁵ Vicente, “United Nations Security Council Reform, 19

2. U.N. High Level Panel Enlargement Proposals

In its report “Threat, Challenges and Change,” The U.N. HLP recommended two models of enlargement: Model A and Model B.³⁶ Model A calls for the expansion of the UNSC’s permanent and nonpermanent membership.³⁷ The panel has recommended an increase of six permanent and three nonpermanent members, increasing the membership from the current 15 to 24.³⁸ Similarly, Model B has suggested an increase of a nonpermanent category only.³⁹ This model has recommended an addition of eight nonpermanent renewable seats, and one nonpermanent, nonrenewable seat.⁴⁰ In the case of the newly proposed nonpermanent seat, it would have a longer duration of four years as compared to the existing two years, and additionally, it would allow immediate reelection. It is, however, not clear how many reelections would be permitted to a particular country; whether it would be an unlimited provision of reelection or it would have a maximum limit of, say, 10–15 years.

3. Individual Claims of G4 Countries

India claims to be the largest democracy in the world. Furthermore, India argues that given its large size, population, and troop contribution to U.N. Peacekeeping Operations (PKO), it deserves a larger role on the world stage.⁴¹ The United States, the United Kingdom, and France have supported India for permanent membership in the expanded U.N. Security Council, whereas Pakistan and China are opposed to India’s membership as a permanent member. Pakistan shares border and water disputes with India. According to Sarwar, “Apart from other disputes, Kashmir is a major dispute between the two

³⁶ U.N. High-level Panel.

³⁷ Ibid.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Jiang, “U.N. Security Council Reform,” 2.

regional rivals and it is on U.N. agenda too.”⁴² Both countries have fought three wars over Kashmir. Pakistan further argues that a permanent seat at the UNSC would heavily tilt the balance of power in the region in favor of India.

Japan is the second-highest financial contributor to the U.N.-assessed budget and is among the leading economies of the world. The United States supports Japan as a permanent member of the UNSC. South Korea and China are opposed to Japan’s quest for permanent membership. China and Japan share a history of animosity. China accuses Japan for its role in WW II and lack of appropriate apology for excesses committed by the Japanese military in China and other East Asian countries.⁴³ China also views Japan’s membership at the UNSC as a second veto to the United States.

Germany is the third largest financial contributors to the U.N.-assessed budget.⁴⁴ It has a large economy and has remained quite peaceful since WW II. Italy and Spain oppose Germany’s candidacy for a seat at the council.⁴⁵ Italy fears that a permanent seat at the UNSC will enhance Germany’s international political and diplomatic power, which would impact the balance of power in the European continent. Additionally, Italy argues in favor of a permanent seat for the EU and not for the individual country.⁴⁶

Brazil is the rising economic and military power of Latin America. Currently, there is no seat for Latin America at the Council; therefore, Brazil considers itself the right choice. Argentina, Mexico, and Colombia oppose Brazil’s move for permanent membership. According to Jian, “They (Argentina, Mexico, and Colombia) worry that Brazil’s permanent membership will unduly

⁴² Sarwar, “Expansion,” 270–271.

⁴³ Jiang, “U.N. Security Council Reform,” 2–3.

⁴⁴ Bruce Russett, Barry O’Neill, and James Sutterlin, “Breaking the Security Council Restructuring Logjam,” *Global Governance* 2, no. 1 (January–April 1996): 65–80, <http://www.jstor.org.libproxy.nps.edu/stable/27800128>.

⁴⁵ Bourantonis, *The History and Politics of U.N. Security Council Reform*, 48–58.

⁴⁶ Hurd, “Myths of Membership,” 200.

enhance country's competitiveness in South America and are especially suspicious of Brazilian veto."⁴⁷

D. METHODS AND SOURCES

This thesis adopts an analytical research method in order to examine and analyze the reform and expansion process of the UNSC. This thesis analyzes the UNSC's power and responsibilities, reform history, and role in conflict resolution in order to ascertain the efficacy of the council and need for expansion and reform. This will increase understanding of the relationship between council size, composition, and effectiveness. The study focuses on the effects of current reform proposals, especially the expansion of the UNSC, on regional peace and the balance of power. In order to analyze the impediments to the reform process, the viewpoint of regional rivals of the aspirant countries are taken into account.

The thesis begins with an examination of primary sources such as the U.N. documents and secondary sources such as books, journal articles, reports, and the official stance and competing proposals of all the stakeholders. Moreover, opinions of independent scholars and experts such as Luck, Hurd, Sarwar, McDonald, Patrick, and Swart further reinforce the analysis. Furthermore, the stances of the P5 states, an important and powerful group of states, are also included to ascertain the divisive nature of the reform process.

E. HYPOTHESES

I hypothesize that P5 members are in favor of the current structure of the Councils, and therefore, no reform that changes the current power structure is likely to happen. Although the current structure of the UNSC and veto power is viewed as undemocratic, discriminatory, and "anachronistic,"⁴⁸ it cannot be altered due to a difficult procedure to amend the charter—impossible without consent of the P5. Recognizing that the present structure of the UNSC does not

⁴⁷ Jiang, "U.N. Security Council Reform," 2–3.

⁴⁸ Kofi Annan, "In Larger Freedom": Decision Time at the U.N.," *Foreign Affairs* (2005): 63–74, <http://www.un.org/largerfreedom/chap5.htm>.

auger well for the 21st-century democratic values of equality and sovereignty, adding more members to the permanent category will not make the council more democratic or sovereign.

Similarly, I also hypothesize that countries selected as permanent members of the UNSC represent their respective countries, and not their regions. Because permanent members of the UNSC are not selected by the regions, these countries owe no favor to regional countries or organizations. Furthermore, expansion of the UNSC in the permanent category will benefit only those countries that successfully secure a permanent seat at the council. Additionally, the selection criteria, such as regional representation, contribution to the U.N.-assessed budget, and troop contribution to UNPK operations are contradictory, and also impeding the reform process of the UNSC.

I also hypothesize that enlargement of the UNSC in a permanent category will affect regional balance, increase power struggles among states, and prevent consensus on key security issues.

F. THESIS OVERVIEW

This thesis is composed of six sections. After the Introduction, Chapter II covers the history and background of the UNSC, its powers and responsibilities, and its role in conflict resolution. Chapter III examines the need for expansion of the UNSC, criteria for the selection of new permanent members, and major impediments to the reform process. Chapter IV analyzes reform proposals and their implications for regional peace and stability. Chapter V covers conclusions and the way forward. Finally, a reflections section at the end examines possible implications for Pakistan in the event that India becomes a permanent member of the UNSC, as well as opportunities for future research.

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II. THE UNSC'S ROLE IN CONFLICT RESOLUTION

The United Nations Security Council (UNSC) is the most important institution of the U.N., which is responsible for maintaining peace in the world.⁴⁹ To ensure peace and avoid conflicts among states, the U.N. Charter urges member states to resolve disputes through peaceful means.⁵⁰ In this regard, Article 2 of the U.N. Charter states that:

All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered...All Members shall refrain... from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.⁵¹

The UNSC prevents illegitimate use of force against member states by another member state; however, the UNSC has the legitimate power to use force to prevent threats to peace and security in the world.⁵²

The UNSC's membership, structured around permanent and nonpermanent members, affords a central role to the permanent members in the council's work, and therefore, these permanent members are held responsible for the success or failure of the UNSC.⁵³ The nonpermanent members have a minimal role in the important debates pertaining to the use of force; therefore non-permanent members do not take responsibility for the council's failure in maintaining peace and security. To ensure "equitable geographical

⁴⁹ Vicente, "United Nations Security Council Reform,"21.

⁵⁰ Michael J. Matheson, *Council Unbound: The Growth of U.N. Decision Making on Conflict and Post-conflict Issues After the Cold War* (Washington, D.C.: United States Institute of Peace Press, 2006): 15–16.

⁵¹ Ibid.

⁵² Temitope Oludoun, "Peace and Security as a Catalyst for the Reform of the U.N. Security Council," *Uluslararası Hukuk Ve Politika* 10, no. 39 (2014): 65, http://usak.org.tr/images_upload/files/UHP_39_makale3.pdf.

⁵³ Moore and Pubantz, *New United Nations*, 78–80.

representation,” ten nonpermanent seats of the UNSC are distributed among various geographical regions⁵⁴ of the world.⁵⁵

To fulfill its primary responsibility to maintain peace and prevent threats to peace, the UNSC has played both positive and negative roles. The council has been blamed, on one hand, for overstepping its mandate, and on the other hand, for its inaction to prevent human loss and breach of peace.⁵⁶ For example, the council failed to act on the face of large-scale human killings in Rwanda and Srebrenica.⁵⁷ Although, the council has not fully lived up to the vast majority of the states in maintaining peace, it has, by and large, played quite an effective role in preventing large scale conflicts among states, especially catastrophic events like WW II.

The supporters of the reform process and the expansion of the UNSC argue that the present council has failed in its primary responsibility to maintain peace in the world, and the failure is attributed to the lack of representative character of the council. In order to ascertain the council's effectiveness, it is essential to examine its powers and responsibilities and role in conflict resolution.

A. POWERS AND RESPONSIBILITY

Under Chapter VII, Article 39, the UNSC is primarily responsible for “determine[ing] the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken ... to maintain or restore international peace and security.”⁵⁸ To

⁵⁴ Ten nonpermanent seats are distributed on a regional basis: Five from African and Asian states, one from Eastern European states, two from Latin American states, and two from Western European and other states.

⁵⁵ Thomas G. Weiss and Sam Daws, eds., *The Oxford Handbook on the United Nations* (Oxford: Oxford University Press, 2007).

⁵⁶ Madeleine K. Albright, “United Nations,” *Foreign Policy*, no. 138 (September–October 2003): 16–24, <http://www.jstor.org.libproxy.nps.edu/stable/3183651>.

⁵⁷ Phil Clark, “Hero, Failure, Or Casualty? A Peacekeeper’s Experience of Genocide,” *Dissent* 52, no. 2 (2005): 115–121, <https://muse.jhu.edu.libproxy.nps.edu/journals/dissent/v052/52.2.clark.html>.

⁵⁸ Matheson, *Council Unbound*, 249.

fulfill these responsibilities, the UNSC, under Articles 39–45 of the U.N. Charter, has been afforded such extraordinary powers as the ability to authorize military missions to restore and maintain peace.⁵⁹ The UNSC also has the power to take other punitive actions short of use of force. To coerce the target country to abide by the U.N. Charter and UNSC resolutions, the council can impose economic sanctions on a member state and can prevent through resolutions all member states from doing business or trading with the sanctioned countries.⁶⁰ For instance, the UNSC has imposed economic sanctions on Iran, Congo, Afghanistan, Bosnia, Angola, Rwanda, and Iraq.⁶¹ Furthermore, through diplomatic contacts, the UNSC has the power to make recommendations to the parties in conflict to reach solution through mediation.⁶² Additionally, the UNSC is the only organ of U.N. that can pass resolutions that are binding for all member states.⁶³

The UNSC has a central role in the amendment of the U.N. Charter. Apart from a required two-thirds majority of the member states of the United Nations General Assembly (UNGA), the Charter amendment also requires the consent of all P5 members. This implies that even a single permanent member can block a proposed amendment to the Charter. The appointment of the United Nations Secretary General (UNSG) and admission of new member state also requires a two-thirds majority of the UNSC including consent of the P5. Above all, the P5 has the unique and extraordinary power of the veto; that is, the power to block resolutions even when they have been passed by the majority of the member states. Additionally, all the non-procedural matters require a yes vote by the veto-

⁵⁹ United Nations, “U.N. Charter,” U.N. Document, available at, <http://www.un.org/en/sections/un-charter/chapter-vii/index.html>.

⁶⁰ Ibid.

⁶¹ Ibid.

⁶² Ibid.

⁶³ David M. Malone, “Security Council,” in *The Oxford Handbook on the United Nations*, edited by Weiss, Thomas George and Daws, Sam (Oxford: Oxford University Press, 2007a), 117–18.

holding states—a negative vote by any permanent member blocks passage of the proposed resolutions.⁶⁴

Apart from the primary responsibilities of maintaining peace and security, the UNSC has other responsibilities that empower the council to admit new member states and to prevent members found guilty of violations of the U.N. Charter from using privileges as a U.N. member. The council may also expel a member state that consistently fails to abide by the Charter provisions.⁶⁵

B. THE UNSC ROLE IN CONFLICT RESOLUTION

The role played by the UNSC has gone a long way in authorizing military missions to avoid hostilities, prevent recurrences of conflicts, and maintain peace and security in the world. Since its formation in 1945, the UNSC has played an active and meaningful role in helping to resolve disputes between states, managing conflicts, and ending fighting among states. The conflict resolution among states has been achieved through a wide range of policy tools such as UNSC resolutions demanding cease-fires, negotiated settlements through mediation, diplomatic contacts, and deployment of peacekeeping forces and observer missions. Since its formation, the UNSC has authorized more than sixty missions.⁶⁶

The UNSC has a mixed record in resolving the conflicts around the world. Various disputes brought before the council have been addressed differently—and with different results. In some cases, the U.N. has successfully accomplished its objectives. For instance, the U.N. played an appreciable role in the liberation of Kuwait and independence of East Timor. The U.N. also helped East Timor with institution building and security sectors after its independence in

⁶⁴ Edward C. Luck, *U.N. Security Council: Practice and Promise* (London: Routledge, 2006): 7–9. <http://www.tandfebooks.com.libproxy.nps.edu/isbn/9780203969335>.

⁶⁵ Matheson, Council Unbound, 18–20.

⁶⁶ David M. Malone, “Security Council,” in *the Oxford Handbook on the United Nations*, eds. Thomas G. Weiss and Sam Daws (Oxford: Oxford University Press, 2007b), 119–121.

2002.⁶⁷ In many cases, the U.N. has succeeded partially in achieving its objectives. However, some of the conflicts and disputes brought before the council are still pending for just disposal, for example, Kashmir and the Middle East disputes.⁶⁸

Unfortunately, in many cases, the UNSC has failed to fulfill the expectations of its framers and the global community. For instance, the UNSC has failed to play a meaningful and active role during the Iraq–Iran War in the eighties. Additionally, the UNSC also failed to prevent the United States and its allies from attacking Iraq in violation of the U.N. Charter. Likewise, the UNSC also failed to maintain peace in Somalia, Bosnia, and the Democratic Republic of Congo (DRC).⁶⁹ The failure has been attributed to the composition and structure of the UNSC.

For the most part the UNSC has remained paralyzed in the security field, which is attributed to its composition, structure, and working method. The inability of the UNSC to fulfill its responsibilities toward maintenance of peace is a direct result of the power tussle among global powers—the UNSC remained paralyzed during the Cold War due to competition for power between Russia and the United States.⁷⁰ Similarly, during the second Gulf War, the P5 failed to agree on the authorization of use of force against Iraq.⁷¹ The following sections analyze the role of the UNSC in resolving some of the key disputes in the world.

⁶⁷ Ludovic Hood, "Security Sector Reform in East Timor, 1999–2004," *International Peacekeeping* 13, no. 1 (2006): 60–77, <http://dx.doi.org/10.1080/13533310500424819>.

⁶⁸ U.N. High-level Panel.

⁶⁹ Peter John Nadin, *Paper Tiger? A Study of the Effectiveness of the United Nations Security Council* (2013), 129. Available at, http://scholar.google.com/scholar?q=paper+Tiger%3F+A+study+of+the+effectiveness+of+the+United+Nations+security+council+by+peter+nadin&btnG=&hl=en&as_sdt=0%2C5.

⁷⁰ Malone, *Security Council*, 119–135.

⁷¹ David M. Malone, "Security Council," in *the Oxford Handbook on the United Nations*, eds. Thomas George Weiss and Sam Daws (Oxford: Oxford University Press, 2007c), 810.

1. East Timor

East Timor was a former Portuguese colony that remained under occupation of the Indonesian military for more than two decades.⁷² Since 1960, the U.N. has recognized the special status of East Timor and remained committed to finding the solution of the issue. According to Martin and Mayer-Rieckh, “From 1975 to 1981 the General Assembly passed annual resolutions reaffirming the inalienable right of the East Timorese to self-determination and expressing concern at the suffering—which was indeed extreme—of the civilian population.”⁷³ After significant U.N. efforts, East Timor became an independent country in May 2002 and was admitted as a U.N. member state in September 2002.⁷⁴ The people of East Timor gave huge sacrifices to achieve freedom. A large number of people died during their struggle for independence, and many of them became Internally Displaced Persons (IDPs).⁷⁵ As a result of the mediation among the U.N. and as well as the Indonesian and Portuguese governments, the people of East Timor—at that time under Indonesian military occupation—were afforded the right to determine whether they wanted autonomy or independence.⁷⁶ This agreement was authorized through the UNSC Resolution 1246, which was passed on June 11, 1999.⁷⁷

Subsequent to the agreement of May 5, 1999, the UNSC tasked the U.N. mission in East Timor to organize a plebiscite. The U.N. police, assisted by the Indonesian police, organized the voting process. On August 30, 1999 an

⁷² Hood, *Security Sector Reform in East Timor*, 60–77.

⁷³ Ian Martin and Alexander Mayer-Rieckh, “The United Nations and East Timor: From Self-Determination to State-Building,” *International Peacekeeping* 12, no. 1 (2005), 125–145.

⁷⁴ Ibid.

⁷⁵ Hood, “Security Sector Reform,” 60–77.

⁷⁶ Astri Suhrke, “Peacekeepers as Nation-builders: Dilemmas of the U.N. in East Timor,” *International Peacekeeping* 8, no. 4 (2001): 3–20. <http://dx.doi.org/10.1080/135333310108413917>.

⁷⁷ Hood, “Security Sector Reform,” 60–77.

overwhelming majority—78.5%—of adult East Timorese voted in favor of independence.⁷⁸

U.N. Role: following the vote for independence, the UNSC established the United Nations Transition Administration in East Timor (UNTAET) through unanimous adoption of Resolution 1272 (1999) on October 25 with the mandate of administering East Timor.⁷⁹ The mission comprised governance and public administration components, including 1,640 police officers, a “humanitarian assistance and emergency rehabilitation component;” and a military component of up to 8,950 peacekeeping troops (PKF) and 200 military observers.⁸⁰ The UNTAET registered voters, organized elections, and assisted the new governments in administering the country.⁸¹ Additionally, soon after independence, when pro-Indonesian militias resorted to violence, the UNSC-mandated the International Force for East Timor (INTERFET), under Australia, and quickly deployed the force to prevent violence and protect the property and lives of the East Timorese.⁸²

The U.N. displayed an unprecedented amount of resolve and commitment in the solution of the East Timor problem. The council extensively remained involved in all phases of East Timor problems—security, administration, and institution building. Throughout its history, the UNSC’s handling of the East Timor problem has been considered as a test case and exemplary for all future handling of conflicts by the council.⁸³

⁷⁸ Hood, “Security Sector Reform,,” 60–77.

⁷⁹ Ian Martin and Alexander Mayer-Rieckh. “The United Nations and East Timor: From Self-Determination to State-Building.” *International Peacekeeping* 12, no. 1 (2005): 125–145, <http://dx.doi.org/10.1080/1353331042000286595>.

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² Ibid.

⁸³ Suhrke, “Peacekeepers as Nation builders,” 60.

2. Iraq War of 1991

On August 2, 1990, Iraq, due to economic and border disputes, invaded and annexed Kuwait, which confronted the world with an international crisis and threat to global peace and security. Under the U.N. Charter, the act of President Saddam Hussein amounted to an open aggression against a U.N. member state. The UNSC unanimously passed Resolution 660 immediately after the invasion, and demanded unconditional withdrawal of Iraqi forces from Kuwait.⁸⁴ Unlike during the Cold War, both world powers cooperated in taking strict action against Iraq for its unprovoked aggression against Kuwait.⁸⁵ This unprecedented unity established UNSC prestige and power and restored its effectiveness that was lost during the Cold War. The Iraqi president failed to comply with the UNSC resolution. As a result, the world coalition led by the United States attacked Iraq and liberated Kuwait.

The Iraq invasion of Kuwait followed the Iran-Iraq War that ended in a stalemate between two Muslim neighbors. Both countries fought unsuccessfully for more than eight years.⁸⁶ The UNSC made a timely decision about the matter and effectively led the successful operation for the liberation of Kuwait.

U.N. Role: The UNSC response in resolving the Kuwait crisis was one of the most successful actions of the UNSC since its inception in 1945. This action restored the confidence of the member states, especially the world's developing countries, on the U.N. The prompt and effective actions by the U.N. reasserted

⁸⁴ James Cockayne and David M. Malone, "The Security Council and the 1991 and 2003 Wars in Iraq," in *United Nations Security Council and War: The Evolution of Thought and Practice since 1945*, eds. Vaughan Lowe, Adam Roberts and Jennifer Welsh (Oxford, GBR: Oxford University Press, 2008), 384–386.

⁸⁵ Ibid.

⁸⁶ Vaughan Lowe, Adam Roberts and Jennifer Welsh, *United Nations Security Council and War: The Evolution of Thought and Practice since 1945*, eds. Vaughan Lowe, Adam Roberts and Jennifer Welsh (Oxford, GBR: Oxford University Press, 2008), 384–386.
<http://site.ebrary.com/lib/nps/docDetail.action?docID=10254369&ppg=1>.

the proactive role of the U.N. in the post-Cold War era.⁸⁷ It was the most effective of all the U.N.-mandated military operations in which a sovereign member state was defended against aggression by another U.N. member state.

Although the U.N. role was appreciated by the member states, the unanimity of the P5 was a result of a proactive role of the United States and not the U.N. In this context, while addressing the Congress, President George Bush reaffirmed the future predominant global role of the United States and stated that, “We stand today at a unique and extraordinary moment. The crisis in the Persian Gulf, as grave as it is, also offers a rare opportunity to move toward an historic period of cooperation.”⁸⁸ The proactive and prompt action of the UNSC restored its power and credibility that was shattered during the Cold War.

3. Iraq War of 2003

The United States and the UK, along with the minor assistance of a coalition of small countries, invaded Iraq in March 2003.⁸⁹ Within a month, Iraqi forces were defeated and the coalition forces occupied Iraq. The invasion was launched without the legal authorization of the UNSC. The United States intended to get a fresh resolution passed by the UNSC before going to war with Iraq; however, fearing veto by France and opposition by such major countries as Germany and Russia, the United States invaded and occupied Iraq, bypassing the U.N. and disregarding the U.N. Charter.⁹⁰

Use of force by the member state without legitimate authorization of the UNSC constitutes a clear violation of the U.N. Charter. The Charter prevents member states from using force or threat of use of force against other member

⁸⁷ Vaughan Lowe et al., *The United Nations Security Council and War: The Evolution of Thought and Practice since 1945* (Oxford University Press, 2010), 201–204.

⁸⁸ Lawrence Freedman, “The Gulf War and the New World Order,” *Survival* 33, no. 3 (1991): 195. <http://dx.doi.org/10.1080/00396339108442590>.

⁸⁹ Cockayne and Malone, “The Security Council,” 384–405.

⁹⁰ Cockayne and Malone, “The Security Council,” 384–405.

states.⁹¹ According to Matheson, “All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.”⁹² The threat or use of force can be used either in case of self-defense or when authorized by the UNSC.

The Iraqi President Saddam Hussein was accused of possessing weapons of mass destruction (WMD). Saddam denied the charge but failed to satisfy the U.N. weapon inspectors, which further raised suspicion about WMD.

U.N. Role: On November 8, 2002, the UNSC passed Resolution 1441 and demanded that the Iraqi government provide accurate information on its WMD program.⁹³ Following the failure of the Iraqi government to comply with the recommendations of Resolution 144, the veto-holding countries could not agree on the use of force against Iraq.⁹⁴

While the UNSC remained paralyzed during the Cold War, the unilateral action of the United States introduced a new trend in the global relations—disregard for the U.N. Charter and the international system that had existed for over six decades. The U.N. failed to stop the United States from invading a sovereign member state that undermined the authority of the UNSC.

⁹¹ Matheson, *Council Unbound*, 16.

⁹² *Ibid.*

⁹³ Fredrick Ochieng, *An Assessment of the United Nations Security Council in Maintenance of International Peace and Security* (2014).

⁹⁴ Edward C. Luck, “Principal Organs,” in *The Oxford Handbook on the United Nations*, eds. Thomas George Weiss and Sam Daws (Oxford: Oxford University Press, 2007): 653–674.

4. Kashmir Dispute

The genesis of the Kashmir dispute⁹⁵ lies in the partition plan of the sub-continent.⁹⁶ Since the independence of India and Pakistan, Kashmir has been one of the world's most enduring and violent conflicts. The dispute over Kashmir is also one of the first brought to the U.N. for settlement.

Both Pakistan and India have conflicting opinions on Kashmir.⁹⁷ Except for the first few years following independence, Indian leaders maintain that Kashmir is an integral part of India, and the ruler of Kashmir legally acceded the state to India. They further argue that the map of South Asia cannot be redrawn; Indian leaders fear that another division on the basis of religion will have a domino effect on ethnically divided India. On August 15, 2002, while addressing the nation on Independence Day, the former Indian Prime Minister Atal Bihari Vajpayee reiterated, "We wish to state once again that Jammu and Kashmir is an integral part of India. It will remain so ... For us, Kashmir is not a piece of land; it is a test case of Sarva Dharma Samabhava—secularism. India has always stood

⁹⁵ Kashmir is a disputed territory between Pakistan and India. The area is located in the foothills of the Himalaya. At the time of partition of the sub-continent, Kashmir was a princely state, ruled by a Hindu ruler. The majority of the population was and still remains predominately Muslim. In accordance with the provisions of the partition plan, the princely states had the option to either join India, Pakistan, or remain independent. Most of the states joined either India or Pakistan. The case of three princely states, Kashmir, Junagargh, and Hyderabad Deccan, was quite different. Hyderabad Deccan and Junagargh did not share a border with Pakistan, whereas Kashmir bordered both India and Pakistan. Additionally, Hyderabad Deccan and Junagargh were Hindu majority states with a Muslim ruler; India forcefully annexed Hyderabad and conducted plebiscite in Junagargh where the majority of the population cast votes in favor of joining India. As a matter of principle and precedent that India sat in case of Junagargh, the people's will should have been ascertained to determine the issue of accession of Kashmir. Maharajah Sir Hari Singh, the ruler of Kashmir, under pressure from the majority Muslim population, fled the state and signed accession of state with India. As a result of popular uprising in the state, the government of India deployed its armed forces to suppress the demand for democratic right of the people of Kashmir. The locals, with the help of tribesmen from the tribal areas of Pakistan, liberated a portion of the state, which is known as Azad Jammu and Kashmir. Pakistan also deployed its forces and both countries fought a war immediately after their independence. Upon Indian request, UNSC intervened, which resulted in a cease-fire.

⁹⁶ Josef Korbel, "The Kashmir Dispute and the United Nations," *International Organization* 3, no. 2 (May 1949): 278–287, <http://www.jstor.org.libproxy.nps.edu/stable/2703744>.

⁹⁷ Hau Khan Sum, Ravichandran Moorthy, and Guido Benny, "The Genesis of Kashmir Dispute," *Asian Social Science* 9, no. 11 (2013): 155–165. <http://www.ccsenet.org/journal/index.php/ass/article/viewFile/30056/17812>.

the test of a secular nation. Jammu and Kashmir is a living example of it.”⁹⁸ This claim of India’s is not in line with the UNSC resolutions that consider Kashmir as a disputed territory between Indian and Pakistan of which the final status has to be ascertained through plebiscite.

Pakistan maintains that Kashmir is part of the unfinished agenda of the 1947 partition plan. Pakistan does not accept Kashmir as part of India; rather it considers Kashmir as a disputed territory. According to Pervez Musharraf, former President of Pakistan, “Kashmir runs in our blood. No Pakistani can afford to sever links with Kashmir. The entire Pakistan and the world know this. We will continue to extend our moral, political and diplomatic support to Kashmiris. We will never budge an inch from our principled stand on Kashmir.”⁹⁹ The Pakistani leaders argue that the fate of the dispute should be settled in accordance with the UNSC resolutions. The UNSC resolution proposed that future of Kashmir whether to join India or Pakistan be determined through free and fair plebiscite.¹⁰⁰

The U.N. Role: Over the years, the UNSC has passed a number of resolutions to settle the enduring conflict between India and Pakistan. For example, in January 1948, the UNSC passed a resolution and established the U.N. Commission for India and Pakistan (UNCIP) to inquire of the matter and conduct mediation.¹⁰¹ In January 1949, the UNSC established the United Nations Military Observer Group in India and Pakistan (UNMOGIP) to monitor violations at the cease-fire line (CFL), known presently as the Line of Control

⁹⁸ Hussain Haqqani, “Pakistan’s Endgame in Kashmir,” in *The Kashmir Question: Retrospect and Prospect*, edited by Sumit Ganguly (New York: Routledge, 2004), 34.

⁹⁹ Haqqani, “Pakistan’s Endgame in Kashmir,” 34.

¹⁰⁰ Korb, “The Kashmir Dispute,” 278–287.

¹⁰¹ Rahul Roy-Chaudhury, “The Security Council and the India–Pakistan Wars,” in *United Nations Security Council and War: The Evolution of Thought and Practice since 1945*, eds. Vaughan Lowe, Adam Roberts and Jennifer Welsh (Oxford, GBR: Oxford University Press, 2008), 328–29.
<http://site.ebrary.com.libproxy.nps.edu/lib/nps/docDetail.action?docID=10254369&ppg=1>.

(LOC).¹⁰² Furthermore, the UNSC Resolution 47, adopted in April 1948, called upon India and Pakistan to end fighting and introduced for the first time a roadmap for the solution of the Kashmir dispute. The UNSC accepted the disputed nature of Kashmir and expressed its resolve in these words: "Noting with satisfaction that both India and Pakistan desire that the question of the accession of Jammu and Kashmir to India or Pakistan should be decided through the democratic method of free and impartial plebiscite."¹⁰³ However, the U.N. failed to put forward a referendum, thus diminishing the council's authority and credibility.

At the beginning of the dispute, the UNSC played an active role and passed resolutions that provided a roadmap for the solution of the Kashmir dispute. Over time, the UNSC's role has remained mediatory without any effort to impose authority. Although the UNSC failed to implement its decisions, the existence of the UNMOGIP under the UNSC's auspices has kept the dispute alive.

5. Rwandan Genocide

In 1994, more than one million people were killed in one of the worst acts of human suffering in the modern history. The killing operation continued for three months, April to July 1994.¹⁰⁴ The large-scale killings of minority Tutsi tribe by majority Hutu were an act of well-planned operation of the government of Rwanda.¹⁰⁵ Lieutenant General Romeo Dallaire, commander of the U.N. Assistance Mission in Rwanda (UNAMIR), battled unsuccessfully with the staff of

¹⁰² Malone, *Security Council*, 120.

¹⁰³ Roy-Chaudhury, "The Security Council and the India-Pakistan Wars," 328-29.

¹⁰⁴ Phil Clark, "Hero, Failure, Or Casualty?: A Peacekeeper's Experience of Genocide," *Dissent* 52, no. 2 (2005), 115-121, <https://muse.jhu.edu.libproxy.nps.edu/journals/dissent/v052/52.2.clark.html>.

¹⁰⁵ Ibid.

superior bureaucracy in U.N. HQ New York, to allow him to employ the U.N. Force available to him to prevent the genocide.¹⁰⁶

To highlight the internal weaknesses of the U.N. staff and Secretariat, the U.N.-mandated inquiry commission termed the Rwandan Genocide “one of the most abhorrent events of the twentieth century,” and according to Linda Melvern, “The report [Carlsson Report] leaves no doubt that each part of the U.N. system, and particular the secretary-general, the Secretariat, the Security Council, and the member states, must assume and acknowledge their responsibility in the failure.”¹⁰⁷ Furthermore, France and Belgium criticized Dallaire and accused him of overstepping his mandate of maintaining peace rather than protecting civilians.¹⁰⁸ Additionally, in the face of worst genocide, Belgium withdrew their paratroopers—the most effective troops of UNAMIR—from Rwanda.¹⁰⁹ The abrupt and unplanned withdrawal of the paratroopers by the Belgian government prevented the chance, if any, of averting the mass killings of Tutsis.

The senior staff at U.N. HQ New York did not pay serious attention to preventing mass killings of the Tutsis. It is not clear whether the U.N. staff deliberately avoided involvement in the conflict and protecting civilians or if they failed to comprehend the scale of killings. However, a timely action from U.N. HQ New York might have saved many innocent Rwandans. According to Clark, “Dellaire sent a now-famous telegram to U.N. Headquarters in New York, where Kofi Anan was head of Peacekeeping Operations, warning that mass violence was imminent and calling for a bolstering of UNAMIR’s troop force and mandate

¹⁰⁶ Charles Murigande, “Lessons Learned from the 1994 Rwanda Genocide,” *Mediterranean Quarterly* 19, no. 2 (2008): 5–10, https://muse.jhu.edu.libproxy.nps.edu/journals/mediterranean_quarterly/v019/19.2.murigande.html.

¹⁰⁷ Linda Melvern, “The UK Government and the 1994 Genocide in Rwanda,” *Genocide Studies and Prevention* 2, no. 3 (2007): 249–257, https://muse.jhu.edu.libproxy.nps.edu/journals/genocide_studies_and_prevention/v002/2.3.melvern.html.

¹⁰⁸ Clark, “Hero, Failure, or Casualty?” 115–121.

¹⁰⁹ Ibid.

in order to protect civilian.”¹¹⁰ Kofi Anan and staff at the U.N. set aside Dellaire’s requests for additional troops and instead urged him to “stay within the limits of the original mandate.”¹¹¹ Remaining with the original mandate meant non-interference in the mass killings of Tutsis.

U.N. Role: The U.N. failed to prevent millions of innocent Tutsi lives taken from Hutus, although authorities at U.N. Headquarters were informed well in advance.¹¹² The countries of the P5 did not show any serious effort for timely intervention because Rwanda had no strategic significance to most of them.¹¹³ Additionally, General Romeo Dellaire identified the villainous role of the various actors involved in the genocide directly or indirectly. According to him, Hutus are the main ones who planned and executed the genocide of the Tutsis.¹¹⁴ General Dellaire has also put the blame on France and the United States because, according to Clark, “Both governments used their position on the U.N. Security Council to lobby for either the curtailing or complete abandonment of UNAMIR.”¹¹⁵ The French played a negative role and to an extent helped the regime that planned and conducted the killings.¹¹⁶ Murigande described the UNSC’s role during the crisis in these words:

Two months later, in what appeared to be the ultimate act of international cynicism, the Security Council authorized France, the lead sponsor of the regime that committed the genocide, to send a “protection force” to Rwanda. The force succeeded in only one thing: allowing the genocide killers safe passage to flee to Democratic Republic of the Congo (DRC) where, even today, thirteen years later, they continue to wreck havoc in eastern DRC and to threaten the security of Rwanda and the rest of the region,

¹¹⁰ Clark, “Hero, Failure, or Casualty?” 115–121.

¹¹¹ Ibid.

¹¹² Murigande, “Lessons Learned,” 5–10.

¹¹³ Clark, “Hero, Failure, or Casualty?” 115–121.

¹¹⁴ Ibid.

¹¹⁵ Ibid.

¹¹⁶ Murigande, “Lessons Learned,” 5–10.

despite the massive and costly presence of troops of the U.N. Mission in the Democratic Republic of Congo.¹¹⁷

Additionally, the UNSC's mandated "Operation Turquoise" led by France did not play any meaningful role to identify and apprehend those responsible for the mass killings of Tutsis.¹¹⁸

The U.N. failed to prevent the mass killings of Tutsis despite clear and advance warning from the Force Commander Lieutenant General Romeo Dallaire. For instance, instead of strengthening UNAMIR to protect the genocide, the UNSC passed Resolution 912 in April 1994 that reduced its existing troop level from 2,500 to 270, which further diminished any chance of protecting the extermination of Tutsis.¹¹⁹ This U.N. failure has highlighted its procedural weaknesses as well as the indifference of the P5. Had the U.N. staff realized the seriousness and urgency of the situation and the P5 had authorized UNAMIR to launch a preemptive attack to seize weapons caches, which were procured for use against Tutsis, the catastrophes could have been averted.

C. CONCLUSION

The UNSC has played an effective role in some of the important conflicts in the world. However, it has also failed in some of the key areas of security including the protection of innocent human beings against mass killings. While the UNSC played a central role in the first Gulf War, which resulted in the defeat of Iraqi forces and the liberation of Kuwait, it failed miserably to implement its resolution on the Kashmir dispute. The second Gulf War undermined U.N. authority and prestige and made it irrelevant in the eyes of many member states. The United States and its allies attacked Iraq, a sovereign member state, without legal authorization from the U.N..¹²⁰ The unilateral action by the United States

¹¹⁷ Ibid.

¹¹⁸ Clark, "Hero, Failure, or Casualty?" 115–121.

¹¹⁹ Murigande, "Lessons Learned," 5–10.

¹²⁰ Matheson, Council Unbound, 18–19.

and its allies violated the U.N. Charter; however, the U.N. could not protect its authority and failed to take action for violation of the U.N. Charter.

Additionally, during the Cold War—1950 to 1987—the U.N., for all practical purposes, remained paralyzed due to a power struggle between two world powers, the United States and the Soviet Union. For instance, during the Cold War period between 1946 and 1987, the UNSC passed over 500 resolutions, whereas between 1987 and 2005, half the length of the Cold War, over 1,000 resolutions were passed.¹²¹ This shows an inactive role of the UNSC during the Cold War period, yet a more revitalized function in the post–Cold War era.¹²² Similarly, the use of vetoes was also reduced significantly—in the Cold War period, the veto was used 212 times whereas in the post–Cold War period, just over 50 resolutions were vetoed.¹²³ However, the post–Cold War period saw an increased role of the UNSC, but only in those areas that had significant strategic concerns for the P5. Since 1990, there has been a significant reduction in the interstate armed conflicts in the world.

¹²¹ Malone, Security Council, 29.

¹²² Ibid.

¹²³ Malone, Security Council, 29.

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III. NEED FOR EXPANSION OF THE UNSC

Every organization and institution periodically must reform or reorganize to meet the changing nature of its responsibilities. The UNSC, an important international organization, is no exception. Indeed, according to Luck, “Through the years, scores of independent commissions... have put forward literally hundreds of proposals aimed at making the world body work better, decide more fairly, modify its mandate, or operate more efficiently.”¹²⁴ Expanding the permanent membership of the UNSC has prominently figured among these proposals.

The efforts toward such reform started soon after the creation of the U.N..¹²⁵ Even at the time of creation, disputes surfaced over the composition, structure, and powers of the UNSC—over the difference between powers and privileges of the permanent and nonpermanent members. For instance, in October 1947, the U.S. Senate expenditures committee highlighted serious weaknesses in the coordination, administration, and financial mismanagement of the U.N. Likewise, the representatives of many states, present at the time of formation of the U.N., viewed permanent membership as undemocratic and discriminatory.¹²⁶ According to Pakistani Ambassador Kamal Khan, “[T]he veto power is considered by many as anachronistic and undemocratic, [and] that does not augur well with democratic values of twenty-first century.”¹²⁷

Some delegates at the formation conference of new international system called for holding a review conference within a year to add more permanent members to the UNSC, especially from Latin America.¹²⁸ According to Weiss,

¹²⁴ Edward C. Luck, *Reforming the United Nations: Lessons from a History in Progress* (Academic Council on the United Nations System, 2003): 1.

¹²⁵ Luck, U.N. Security Council, 1.

¹²⁶ Vicente, “United Nations Security Council Reform,” 19--38.

¹²⁷ *Ibid.*, 24.

¹²⁸ Thomas G. Weiss, “The Illusion of U.N. Security Council Reform,” *Washington Quarterly* 26, no. 4 (2003): 147–161.

At the San Francisco conference where the U.N. Charter was drafted, delegates who were dissatisfied with a revival of kind of nineteenth-century Concert of Europe—with more powerful states given special roles—but also did not wish to impede the effective creation of the new world body expected that a review conference for all U.N. member states would be convened relatively quickly to discuss changes in the Charter and organizational structures.¹²⁹

These delegates intended to keep the provision for Charter amendment flexible and easy. However, the P5 rejected these demands and made the Charter amendments difficult and linked any change to the Charter to the consensus of the permanent members.¹³⁰ For these difficult provisions, the Charter has been amended only once since its adoption, in 1945.

Within the present context of liberal democratization, the concept of permanency combined with veto power does not fit into the current idea of equality among states. Additionally, the rise of new countries and decline of some of the current P5 have further intensified the debate to reform and expand the UNSC. Four key points militate for expansion of the UNSC: regional representation, size of the council vis-à-vis overall membership of the United Nations General Assembly (UNGA), inequality among members of the UNSC, and accommodation of those states in the decision-making process at the UNSC that contribute more to the U.N. financially and militarily.¹³¹ For all of these reasons, there is a wider consensus among all the member countries about reform, and more particularly the expansion of the UNSC.¹³² This unity breaks down almost immediately over the question of just how to affect the expansion.

¹²⁹ Ibid., 148.

¹³⁰ Luck, *Reforming the United Nations: Lessons from a History in Progress*, 1.

¹³¹ Dimitris Bourantonis, *The History and Politics of U.N. Security Council Reform* (London: Routledge, 2005).; Oludoun, *Peace and Security as a Catalyst for the Reform of the U.N. Security Council*, 63–96; Edward C. Luck, “How Not to Reform the United Nations,” *Global Governance* 11, no. 4 (October–December 2005): 407–414, <http://www.jstor.org.libproxy.nps.edu/stable/27800582>;

¹³² Ibid.; Hurd, “Myths of Membership,” 199.; Swart and Perry, *Governing & Managing Change at the United Nations: Reform of the Security Council from 1945 to September 2013*, 1.

A. REGIONAL REPRESENTATION

The current UNSC membership represents the global power structure of the post-WW II period and is skewed heavily in favor of the industrialized north. At the time of the U.N.'s formation, Africa, Latin America, and Asia were only marginally represented at the conference that created the new international system—for instance, only three countries represented Africa and the same number of states represented Asia. None was represented at the Council.

Within decades of the establishment of the U.N., the U.N. membership, especially from Africa and Asia, grew rapidly, mostly due to decolonization.¹³³ Decolonization is a post-war phenomenon. Hence, most of the emerging independent states in Asia and Africa were not part of the power-sharing formula at the international level that was concluded in 1945 at San Francisco.¹³⁴ The absence of member states from key regions of the world created a sense of deprivation and injustice among the leaders of these regions.

The idea of equitable representation among various regions at the UNSC has taken center stage in the reform process of the world body.¹³⁵ Distribution of permanent seats among all regions is a key factor that has driven the reform and expansion process of the UNSC. For example, the leaders from Africa demand representation at the decision-making forum because the continent is not represented at the council in the permanent category.¹³⁶ Additionally, the African continent has more often remained the subject of the UNSC resolutions pertaining to the use of force and deployment of military missions for

¹³³ Manoj Kumar Mishra, "The United Nations Security Council: Need for a Structural Change?" *The Indian Journal of Political Science* 68, no. 1 (January–March 2007): 145–155, <http://www.jstor.org.libproxy.nps.edu/stable/41858827>;

¹³⁴ Ibid.; African Union, "The Common African Position,"9.

¹³⁵ Swart and Perry, *Governing & Managing Change at the United Nations: Reform of the Security Council from 1945 to September 2013*, 72–73.

¹³⁶ Sahar Okhovat, *The United Nations Security Council: Its Veto Power and its Reform* Centre for Peace and Conflict Studies, The University of Sydney, 2012): 31–34.; Luck, *Reforming the United Nations: Lessons from a History in Progress*; African Union, "The Common African Position,"7–8.

maintenance of peace and security.¹³⁷ The African continent comprises 54 countries but is not represented at the council, which makes the council's authority and legitimacy questionable. If these regions are excluded from the decision-making process, their lack of cooperation in implementing the UNSC resolutions pertaining to their region would impede the achievement of desired objectives. Therefore, these countries strongly argue that the African continent be given meaningful representation in the expanded UNSC in both permanent and nonpermanent categories.

B. SIZE OF THE COUNCIL VIS-À-VIS OVERALL MEMBERSHIP OF THE UNGA

The increase in U.N. membership has exacerbated the disproportionate representation at the UNSC. Since the formation of the U.N. in 1945, its overall membership has expanded substantially, but the UNSC has, except for increase in the nonpermanent category in 1965, remained unchanged. From 50 member states in 1945, the U.N. membership has expanded to 193 states.¹³⁸ At the time of formation of the UNSC, the ratio of one UNSC seat was equal to 10 members of the U.N., whereas today one UNSC seat is equal to more than 40 members of the UNGA. This imbalance has provoked the U.N. member countries to demand reformation and expansion of the UNSC both in permanent and nonpermanent categories.

Supporters of UNSC reform and expansion argue that the small size of the UNSC in comparison to the overall membership of the UNSC has undermined the council's authority and legitimacy. For one thing, the UNSC is dependent on the support of the U.N. member states, especially the powerful middle-tier countries, for implementation of its resolutions and decisions. For another, the U.N. is not a parallel government at the international level. In other words, the UNSC has as much power as the member states, especially the powerful

¹³⁷ Sarwar, "Expansion," 259–260.

¹³⁸ McDonald and Patrick, Security Council Enlargement and U. S. Interests, 5.

regional and global economic and military powers afforded to the council. The rising powers that hold huge political, economic and military influence within and outside their regions, if included in the decision-making process at the UNSC, would significantly contribute to the maintenance of peace and security in the world.¹³⁹

Proponents of reform, such as the G4 and the AU, argue that the small size of the UNSC has negatively affected the efficiency, authority, and legitimacy of the council as a whole. They maintain that the council's decisions lack broader support due to the absence of the current regional and world powers, which substantially contribute to the U.N., economically and militarily.¹⁴⁰ If these countries are not included in the executive body then they may reduce or block funding to the council, which will negatively impact the functioning of the world body.

C. INEQUALITY AMONG MEMBERS OF THE UNSC

The powers and privileges of the permanent and nonpermanent members are major inadequacies that raise the demand for change at the UNSC. The members states that were either unhappy with the global power structure or were not present at the time of formation of the international organization demand to seek a useful role for their countries.¹⁴¹ Meanwhile, the aspirant states recognize that the current power structure, though unequal and against the sovereign equality of the members states, cannot be undone. These countries, as an alternate, demand expansion of the council, instead of abolition of the veto power.

Similarly, the inequality among permanent and nonpermanent members is huge. Due to this difference, the rising powers that are not represented as

¹³⁹ Hurd, "Myths of Membership," 199–217.

¹⁴⁰ Vicente, "United Nations Security Council Reform," 19–38.

¹⁴¹ Ibid.

permanent members feel frustrated and demand reforms and seek wider roles in the decision-making process at the global stage. According to Luck,

The diversity of the United Nations' membership and ambitious nature of its mandates make it highly likely that some constituencies will be seriously disappointed with its power-sharing arrangements and/or its accomplishment at any point in time. Persistent disappointment or feelings of disenfranchisement have often led to calls for reform.¹⁴²

Apart from veto power, there is a marked difference between the power and privileges of the permanent and nonpermanent members. The veto-holding countries not only enjoy powers with regards to Charter amendment and appointment of the UNSG, but they also possess significant influence due to their permanent presence at the U.N. HQ—unlike nonpermanent members that rotate after every two years. By the time nonpermanent members acquaint themselves with the work procedure of the council, their two-year term is complete. Furthermore, the permanent members each maintain a huge bureaucracy and staff, which the nonpermanent members cannot match.¹⁴³ According to Caron, “The staffing capability of the permanent members within the Council allows them disproportionately to influence the outcome of its proceedings.”¹⁴⁴ Because the nonpermanent members remain on the council for a brief period, these countries do not maintain a large staff and matching diplomatic weight. This inherent disadvantage of nonpermanent members allows the P5 to significantly influence the outcome of council's decisions.

D. COUNTRIES THAT CONTRIBUTE MORE SHOULD BE REPRESENTED AT THE UNSC

The supporters of the reforms process maintain that those countries that contribute more financially and militarily should be represented at the UNSC and

¹⁴² Luck, *Reforming the United Nations: Lessons from a History in Progress*, 2.

¹⁴³ David D. Caron, “The Legitimacy of the Collective Authority of the Security Council,” *The American Journal of International Law* 87, no. 4 (October 1993): 564–65.

¹⁴⁴ *Ibid.*

that these countries should be given an enhanced role in the decision-making process at the global level. For example, after the United States, Germany and Japan are the largest financial contributors to the U.N.-assessed budget.¹⁴⁵ Despite their huge financial contributions, these countries are not represented at the Council and are thus excluded from its decision-making process. The proponents of the UNSC's expansion argue that the emerging powers that significantly contribute to the maintenance of international peace and security should be included in the decision-making process at the UNSC.¹⁴⁶ Recognizing the contribution of member states, the HLP states that

Those [countries] who contribute most to the United Nations financially, militarily and diplomatically—specifically in terms of contributions to the United Nations assessed budget, participation in mandated peace operations, contributions to the voluntary activities of the United Nations...and diplomatic activities in support of United Nations objectives and mandates.¹⁴⁷

Furthermore, other countries that have huge population and military capability and contribute to maintenance of global peace are also not represented at the Council. For instance, India is the second-largest state in terms of population and also one of the top troop contributors to the U.N. Peacekeeping Operations (PKO). If India is not represented at the council then it might reconsider its support for the UNPKO, which would negatively affect the U.N.'s efforts to maintain peace in the world. Similarly, there is a relative decline in the powers of the P5 countries, notably France, Russia, and the UK. This relative decline and rise of the other states has raised the demand for expansion of the UNSC to accommodate rising regional military and economic powers.

Many argue that an increase in the UNSC membership would enhance its authority and legitimacy as its decisions would be supported by the countries that

¹⁴⁵ Bourantonis, *The History and Politics of U.N. Security Council Reform*, 43–44.

¹⁴⁶ Jonas von Freiesleben, "Reform of the Security Council: 1945–2008," in *Governing & Managing Change at the United Nations: Reform of the Security Council from 1945 to September 2013*, eds. Lydia Swart and Estelle Perry, Vol. 1 (New York: Center for U.N. Reform Education, September 2013), 1–119.

¹⁴⁷ U.N. High-level Panel, 109–111.

have large population, influence, and capacity to implement the council's decisions.¹⁴⁸ And similarly, their exclusion would erode the UNSC's legitimacy, effectiveness, and efficiency.

The effectiveness of the UNSC depends on two aspects: first, the decision-making process of the UNSC, and second, the implementation of the UNSC's decisions by the member states. The effectiveness of the decision-making process can be best achieved through a small executive body, composed of fewer members that take quick decisions to deal with the situation that warrants immediate response to effectively maintain international peace and security.¹⁴⁹ However, these decisions will be meaningless if not implemented by the member states that are not represented at the council. Members that have no stake in the implementation of the UNSC's decision will tend to resist their implementation. This lack of cooperation by the member states will make the council less effective and less legitimate.

The increase in the membership of the UNSC will enhance its legitimacy. According to Hurd, "An increase in the permanent membership would strengthen the U.N. and increase its legitimacy through bringing the organization closer to present-day global realities."¹⁵⁰ The legitimacy and enhanced ownership of its decisions by the member states would make the council more effective.

E. CONCLUSION

The proponents of the reforms argue that an unchanged UNSC will lose its efficacy, effectiveness, and legitimacy. The stagnant structure and composition of the UNSC affects its ability to prevent conflicts and maintain

¹⁴⁸ McDonald and Patrick, *Security Council Enlargement and U. S. Interests*, <http://site.ebrary.com.libproxy.nps.edu/lib/nps/docDetail.action?docID=10554825&ppg=1>.

¹⁴⁹ Erik Voeten, "Why no U.N. Security Council Reform? Lesson for and from Institutional Theory," in *Multilateralism and Security Institutions in an Era of Globalization*, eds. Dimitris Bourantonis, Kostas Ifantis and Panayotis, and Tsakonas (New York: Routledge, 2008): 290.

¹⁵⁰ Hurd, *Myths of Membership: The Politics of Legitimation in U.N. Security Council Reform*, 201.

peace and security in the world.¹⁵¹ For the UNSC to be an effective, vibrant, and legitimate organization, its decisions need to be supported by the majority of the member states. Theoretically, the UNSC draws its legitimacy from the Charter; however, lack of support from the majority of countries in the council's composition, working procedure, and structure makes the council less legitimate and effective. McDonald and Patrick argued, "A more compelling reason to support UNSC enlargement, however, is concern that an unchanged UNSC will become increasingly ineffective in addressing today's security challenges, which demand cohesive, broad-based multilateral responses."¹⁵² Although the council's decisions, according to the U.N. Charter, are binding on all member states, the rising powers may not support implementation of the UNSC's decisions—if these decisions are not of an immediate strategic interest to these countries.

The exclusion of rising regional and global power might make the council less effective and illegitimate. For example, Japan, Germany, Brazil, and India have the economic strength, military capabilities, and will to contribute in large measures toward peace and security in the world. These rising powers, if not included in the decision-making process at the world stage, might hinder the implementation of the UNSC resolutions, which would affect the UNSC's efficiency and effectiveness. Additionally, the rising powers tend to find rightful place for themselves and denial of the same might pose challenge to the international system. In this context McDonald and Patrick argue that, "Historically, the task of accommodating rising powers has been among the most difficult challenges of world politics."¹⁵³

¹⁵¹ Voeten, Why no U.N. Security Council Reform? Lesson for and from Institutional Theory, 289.

¹⁵² McDonald and Patrick, Security Council Enlargement and U. S. Interests, 4.

¹⁵³ McDonald and Patrick, *Security Council Enlargement and U. S. Interests*, 10.

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IV. CURRENT REFORM PROPOSALS: ANALYSIS AND IMPLICATIONS

Since the publication of the HLP report, major stakeholders in the reform of the UNSC began to solicit support from other member states. The G4 and AU countries are trying to muster a two-thirds majority at the UNGA to, as a first step, pass a resolution in favor of the charter amendment and the UNSC reforms.¹⁵⁴ Conversely, Ufc member states are trying to convince likeminded countries to block passage of such a resolution. Additionally, the P5 states are divided over their support to various aspirant countries; however, the P5 unanimously opposes extension of veto power to new permanent members.¹⁵⁵

The G4, AU, and Ufc member states are fighting for their national interests in a struggle for global power and influence.¹⁵⁶ The G4 and AU members support expansion of the UNSC's permanent category and demand seats for themselves.¹⁵⁷ In contrast, the Ufc members oppose expansion of the UNSC's permanent category, are not competing for permanent seats at the UNSC, but want to deny permanent seats to their rivals to remain relevant within the international power politics.¹⁵⁸ The HLP panel, however, has offered two options without stating any preference for either model.¹⁵⁹

The HLP, G4, and AU enlargement proposals have not only blocked the reform process but have also posed a serious challenge to the unity among member states and have affected balance at the UNSC. The conflicts of interest between aspirant countries and their regional rivals have divided the member

¹⁵⁴ Swart and Pace, "Changing the Composition," 1–5.

¹⁵⁵ Ibid.; Richard Gowan and Nora Gordon, "Pathways to Security Council Reform," *Center of International Cooperation Report* (May 2014): 1–36.

¹⁵⁶ James Paul and Céline Nahory, "Theses Towards a Democratic Reform of the U.N. Security Council," 2005.

¹⁵⁷ Edward C. Luck, *Reforming the United Nations: Lessons from a History in Progress* (Academic Council on the United Nations System, 2003).

¹⁵⁸ Sarwar, "Expansion," 257–279; Jiang, "U.N. Security Council Reform," 1–5.

¹⁵⁹ Luck, "Principal Organs," 653–674.

states in various groups, causing competition against each other. I therefore argue that the current enlargement proposals of the UNSC to increase the UNSC's membership in the permanent category would pose a serious challenge to cooperation among member states at the regional and global level. The lack of cooperation would affect regional peace and negatively affect the UNSC efforts towards maintenance of peace. Additionally, enlargement proposals, seeking expansion of the UNSC's permanent category, would disturb regional balance at the UNSC. This chapter analyzes the enlargement proposals of the HLP, the G4, the AU, and the Ufc countries to ascertain the regional and global implications of these proposals.

A. HLP REFORM PROPOSALS

The HLP proposals have certain flaws that have divided the countries at the regional and global level. Despite clear selection criteria, the panel has not identified or recommended possible candidate states for permanent membership.¹⁶⁰ The distribution of seats among geographical regions indicates the likely candidates. For example, the panel has proposed two permanent seats each for Africa and Asia. South Africa, Nigeria, and Egypt could be the likely candidates from Africa; Japan and India are the only candidates from Asia. Likewise, one permanent seat each has been recommended for Latin America and Europe. Brazil and Germany are the potential aspirants to these seats, respectively. Still, with no clear guidance from the HLP, powerful and influential countries have begun to lobby.

The HLP proposals neither address the current imbalance between developed and developing countries nor the equitable representation of various geographical regions. For instance, if Model A (the UNSC's expansion to 24 members, six permanent without veto power and four nonpermanent) is approved, Europe, with 48 countries, would have a new total of four permanent

¹⁶⁰ U.N. High-level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility* (2004), <http://un.org/secureworld/report.pdf>.

members; whereas Africa, with 54 member states, would have only two permanent seats.¹⁶¹ In Model A's scenario, the existing imbalance among various regions would be further widened. Additionally, Asia's permanent representation will be increased from one, at present, to a total of three members.¹⁶² Furthermore, the addition of Germany and Japan would further tilt the balance in favor of the industrialized north, which is already overrepresented.¹⁶³

Model B (enlargement of the UNSC to 24 members and addition of eight semi-permanent and one non-permanent seat) of the HLP, however, provides a balanced enlargement mechanism that is likely to be acceptable to all P5 and Ufc group countries. However, the AU and the G4 countries are unhappy with this model because G4 and AU countries demand expansion of permanent membership.¹⁶⁴ The newly introduced semi-permanent seats, if accepted, would satisfy such aspirant countries as India, Germany, Brazil, Japan, and the AU, which demand enhanced roles at the Council; at the same time, such second-tier countries as Italy, Canada, Pakistan, Argentina, South Korea, and Spain would also have the chance to be elected for long-term seats.

HLP has not provided a clear framework with one preferred model for reform, which has divided the global community in unending competition between aspirants and rivals.¹⁶⁵ Significantly, neither panel has recommended extension of veto power to new permanent members.¹⁶⁶ The denial of veto right to new permanent members has left the issue of inequality among UNSC members unsettled—a key demand of the supporters of the UNSC's expansion. Table 1

¹⁶¹ Annan, "In Larger Freedom," 63–74.

¹⁶² U.N. High-level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility*

¹⁶³ Russett, O'Neill, and Sutterlin, "Breaking the Security," 65–80.

¹⁶⁴ Sarwar, "Expansion," 257–279.

¹⁶⁵ Annan, "In Larger Freedom," 63–74; U.N. High-level Panel on Threats, Challenges and Change.

¹⁶⁶ Ibid.

(Model A) and Table 2 (Model B) detail the similarities and differences between permanent and proposed permanent, nonpermanent, and semi-permanent seats. In Model A, the HLP proposed six permanent seats: two permanent seats each for Asia and Africa, and one permanent seat each for Europe and Americas.

In Model B (Table 2), the panel has not proposed any new permanent members, and has instead presented a new category of semi-permanent membership (four-year renewable seat). In this model, the panel has proposed eight semi-permanent seats to be elected on a regional basis, and one nonpermanent seat. The eight semi-permanent seats have been equally distributed among four geographical regions.

Table 1. Model A

Regional Area	No of States	Permanent Seats (Continuing)	Proposed new Permanent Seats	Proposed two-year seats (Non-renewable)	Total
Africa	54	0	2	4	6
Asia	56	1	2	3	6
Europe	48	3	1	2	6
Americas	35	1	1	4	6
Total	193	5	6	13	24

Source: U.N., *A More Secure World: Our Shared Responsibility* (New York, U.N., 2004). <http://www.un.org/secureworld/report.pdf>.

Table 2. Model B

Regional Area	No of States	Permanent Seats (Continuing)	Proposed four-year renewable Seats	Proposed two-year seats (Non-renewable)	Total
Africa	54	0	2	4	6
Asia and Pacific	56	1	2	3	6
Europe	48	3	2	1	6
Americas	35	1	2	3	6
Total	193	5	8	11	24

Source: U.N., *A More Secure World: Our Shared Responsibility* (New York, U.N., 2004). <http://www.un.org/secureworld/report.pdf>.

In both models, the panel has proposed six seats each for four geographical regions. However, there is a difference between permanent and nonpermanent seats allocated to each of the previously mentioned regions. For example, in the case of Model A, Africa would have two permanent and four nonpermanent seats, whereas Europe would have four permanent and two nonpermanent seats. The existing imbalance in the form of permanent membership would further widen between various regions because only the permanent membership is viewed as an actual source of power and not the nonpermanent membership. In case of Model B, rather than balancing the current imbalance, the newly introduced eight semi-permanent seats have been equally distributed among four geographical regions. For example, Europe, which is already overrepresented, has also been awarded two semi-permanent seats.

B. THE G4 MODEL: COLLECTIVE CLAIM FOR A UNSC SEAT

G4 countries are collectively striving to secure permanent seats for their group at the UNSC. The G4 model proposes enlarging the UNSC to 25 members.¹⁶⁷ In addition to permanent seats for their own group, the G4 model has also proposed two permanent seats for Africa.¹⁶⁸ The G4 model replicates

¹⁶⁷ Trachsler, "U.N. Security," 1–3.

¹⁶⁸ Vicente, "United Nations Security Council Reform."19.

Model A of the HLP. Initially, G4 countries demanded permanent seats with veto power; however, realizing the enormity of the challenge and resistance by the P5, the G4 countries reviewed their claim and dropped the demand for veto.¹⁶⁹ The willingness of the G4 to forgo veto right was aimed at securing support of the P5 member states.

Many countries and groups have come together to oppose the G4 in blocking expansion of the UNSC in permanent category. For example, Canada, which otherwise maintains cordial relation with the G4 countries, but as a member of the Ufc, is opposed to expansion of the UNSC's permanent membership. Canada maintains that extension of permanent membership would benefit only the aspirant countries and not the broad U.N. membership.¹⁷⁰ Additionally, Canada, an important country from Americas, is not being considered for permanent membership in the expanded council. Canada views the permanent category's expansion undemocratic. While reiterating his country stance on the expansion of the UNSC, Canadian permanent representative at the U.N., Mr. Allan Rock, stated:

The permanent members of the present Council took their seats in a distant and very different age. The forces that shaped the post-war creation of the United Nations were unique at that time...Canada believes...that the accession of additional permanent to the Security Council would not be in the best interests of this institution, and would not be in the long-term best interests of the overwhelming majority of its member states...it would deny a fair and a flexible allocation of seats...It would deprive the world's region of a democratic...way to determine for themselves their representative on this institution's most significant body. Mr. President, supporters of the resolution have suggested that the process they propose is democratic...I know of no democracy in which single election is sufficient to entitle the winner to remain in office in perpetuity...The addition of permanent members would have significant and adverse indirect consequences through what is

¹⁶⁹ Swart and Pace, "Changing the Composition,"1–5.

¹⁷⁰ Kulwant Rai Gupta, *Reform of the United Nations* (New Delhi: Atlantic Publishers & Distributors, 2006).

known as “the cascade effects”...Canada will vote against the pending resolution...in the interest of this institution.¹⁷¹

Additionally, South Korea—a member of the Ufc group—and Japan—part of the G4 states—important East Asian countries, are divided over permanent expansion of the UNSC.¹⁷² Although both South Korea and Japan are trying to improve their uneven diplomatic relations, Japan’s demand for permanent membership is likely to negatively affect bilateral relations between these two countries.

The strategy of the collective claim by the G4 countries has so far failed due to division among permanent members as to which country to support for a permanent UNSC seat. For example, the United States, France, and the United Kingdom support Japan, Germany, and India. Similarly, China supports Germany and Brazil but opposes India and Japan. China has even indicated it would block, if needed, Japan’s entry as a permanent member through the use of its veto power.¹⁷³ China’s position on the Japanese membership has been consistent with Chinese foreign policy. Furthermore, Japan is also being seen as an ally of the United States.¹⁷⁴

C. THE AFRICAN UNION (AU) MODEL

The African Union has demanded two permanent and two additional nonpermanent seats for Africa.¹⁷⁵ Africa, with 54 countries, has maintained unity and consistently retained its original demand of permanent seats with all the

¹⁷¹ Global Policy Forum, Statement by Ambassador Allan Rock, Permanent Representative of Canada to the United Nations, at the General Assembly on, “Question of Equitable Representation on and Increase in the Membership of the Security Council and Related Matter,” available at, <https://www.globalpolicy.org/security-council/security-council-reform/41375.html?itemid=915> (Accessed on November 8, 2015).

¹⁷² Vicente, “United Nations Security Council Reform,” 19–40.

¹⁷³ J. Mohan Malik, “Security Council Reform: China Signals its Veto,” *World Policy Journal* 22, no. 1 (Spring 2005): 19–29, <http://www.jstor.org.libproxy.nps.edu/stable/40209946>.

¹⁷⁴ Swart and Pace, “Changing the Composition,” 1–5; McDonald and Patrick, *Security Council Enlargement and U. S. Interests.*;

¹⁷⁵ African Union, “The Common African Position,” 7–8.

powers and privileges afforded to current permanent members of the UNSC.¹⁷⁶ The stance of the African leaders has, so far, prevented the G4 members from achieving any significant breakthrough to muster enough support of UNGA member states for passage of resolutions in the General Assembly.¹⁷⁷ The inflexible position of the AU to demand veto power and opposition of the P5 to an extension of veto powers has further stalled the reform process, which is a major blow to the aspiration of G4 countries that had been relying on the support of the P5 and AU members for the charter amendment. The required two-thirds majority in the UNGA for the passage of resolutions for amendment of the charter is possible only if the G4 and the AU adopt a common position on the issue of veto power.

To be sure, the AU has not identified its potential candidate, which announcement might divide the AU's unity on the issue of UNSC enlargement because more countries would claim permanent seats for themselves.¹⁷⁸ For example, to block South Africa and Egypt candidacy, Senegal also wishes to be a candidate for permanent membership of the UNSC from Africa.¹⁷⁹ The United States has decided not to support any proposal that does not identify the potential candidates for UNSC's permanent membership because according to McDonald and Patrick, "Regional selection could result in the seating of unexpected, possibly compromising candidates. Should the United States accept Cuba or Venezuela as a permanent UNSC member if...Brazil and Mexico cannot secure Latin American support?"¹⁸⁰ Since the AU proposal does not reveal its future candidates, and has rather suggested to select its permanent member on a rotational basis, the United States is not likely to endorse the AU enlargement proposal.

¹⁷⁶ Ibid.

¹⁷⁷ Luck, *Principal Organs*, 653–674.

¹⁷⁸ Paul and Nahory, *Theses Towards a Democratic Reform of the U.N. Security Council*.

¹⁷⁹ Imber, *The Reform of the U.N. Security Council*, 328–334.

¹⁸⁰ McDonald and Patrick, *Security Council Enlargement and U.S. Interests*.

The African Union enlargement model has generated two major controversies: an inflexible position on demand of veto power, and the selection of its permanent members on a rotational basis. First, the demand for veto power seems unrealistic, as all P5 members have rejected extension of veto power to new members.¹⁸¹ Additionally, if the AU leaders stick to their inflexible demands of veto power and selection of its permanent members, it would be difficult for the AU to muster enough support at the UNGA to secure a two-thirds majority, as a first step. The two-thirds majority is possible only if G4 countries and their allies, as well as the AU, maintain a uniform stance over their demand of veto power for new permanent members. Furthermore, the rigid stance of the AU has created division within its own organization.¹⁸² Many member states argue that demand for veto power is unrealistic, and it should be dropped to move the reform process forward.¹⁸³

Second, the AU's demand for selection of its permanent members on a rotational basis is both unrealistic and flawed. For example, a member country of the AU can opt out of its membership because, unlike the U.N., the membership of the AU is not mandatory. Additionally, other regions such as Asia and Latin America have no single representative organization. Likewise, it is not yet clear what will happen if a permanent member from Africa or any other regional organization casts its vote against perceived interests of its region. Will the AU and other regional organizations retain the power to rescind the membership of such countries and replace them with more suitable and pliant states?

D. UFC ENLARGEMENT MODEL

To block G4 countries to secure a permanent seat at the council, the Ufc group has proposed its own enlargement model through a draft resolution,

¹⁸¹ Swart and Pace, Changing the Composition of the Security Council: Is there a Viable Solution? 1–5.

¹⁸² Ibid.

¹⁸³ Von Freiesleben, Reform of the Security Council: 1945–2008, 1–119.

A/59/L.68.¹⁸⁴ The Ufc enlargement model is similar to that of the HLP enlargement Model B. The group has opposed enlargement of the council in the permanent category on the basis of equality and sovereignty of all member states enshrined in the U.N. Charter.¹⁸⁵ The group considers that its proposals are win-win for all the stakeholders. Pakistan's representative in the U.N., while highlighting the importance and advantages of the Ufc proposal and consensus-based approach, stated:

The Uniting for Consensus (Ufc) proposal offers the best basis for a solution that can accommodate the interests of all states. This can be achieved through compromise and flexibility designed to achieve consensus on the broadest possible agreement... The Ufc proposal is equitable, fair and democratic. It provides for a greater role of the regions in determining their representation on the Council. It has the necessary flexibility to accommodate the interests of all states and groupings in terms of their representation on the Council through rotation and reelection.¹⁸⁶

The Ufc group has also criticized the aspiring states for their inflexible attitude toward reforming the UNSC and stated, "After four years of negotiations...deep differences persist especially regarding the expansion of the Council and divisive ambition of some states to become permanent members."¹⁸⁷ The Ufc states maintain that the undemocratic credentials of the council compositions and anachronistic nature of the veto power, though a compulsion at the existence of the international organization at the formation conference, should not be further proliferated.¹⁸⁸ While introducing the Ufc draft resolution in the UNGA, the Canadian permanent representative at the U.N. reiterated the Ufc stance on the expansion of permanent membership as follows:

¹⁸⁴ Sarwar, "Expansion," 257–279.

¹⁸⁵ Ibid.

¹⁸⁶ Pakistan Mission to United Nations, "Pakistan Position towards U.N. Reform," available at, http://pakun.org/unreform/index.php#Security_Council_Reform.

¹⁸⁷ Ibid.

¹⁸⁸ Brian Cox, "United Nations Security Council Reform: Collected Proposals and Possible Consequences," *South Carolina Journal of International Law and Business* 6, no. 1 (January 2009): 89–128.

While we [in the Ufc Group] recognize the importance of Security Council reform, we want to see it achieved without unduly dividing the membership...It will not serve our larger purpose if we are left divided after choosing among resolutions that favor a few, leaving fissures and factions as we pick winners and losers, once and for all...the accession of additional permanent members to the Security Council is not in the best interests of the overwhelming majority of its member states... our purpose is not to oppose the aspirants, but rather to support a principle: that widening the permanent circle for the few who seek special status, no matter how worthy their candidacies, would make the Security Council less accountable for its conduct, more remote from the membership and less representative of the world's regions.¹⁸⁹

The Ufc members contend that enlargement in the permanent category, despite opposition of significant number of important countries, would divide the member states rather than uniting them. To provide equal opportunity to serve at the most important global decision-making forum, the Ufc group proposed expansion of the council in the nonpermanent category only. The UNSC's enlargement in the non-permanent category of the membership, the Ufc group argues, would accommodate future changes in the power structures as well.¹⁹⁰

Unlike the G4, the Ufc group is opposed to putting the enlargement process to vote. Instead, the group supports consensus-based enlargement of the UNSC and maintains that voting on the enlargement issue would be divisive for the international community. The group, though small in number, has achieved significant success in delaying the expansion process thus far. The group argues that the undemocratic structure of the UNSC cannot be addressed through an increase in the permanent category; rather an increase would only make it more undemocratic.

E. IMPLICATIONS FOR REGIONAL STABILITY AND BALANCE

The HLP enlargement proposals and the G4 countries' collective claim and demand for permanent membership for the group have caused tension at

¹⁸⁹ Gupta, Reform of the United Nations, 240–42.

¹⁹⁰ Ibid.

the regional and global level. The G4 members represent three important regions in the world: Asia, Europe, and Latin America. In all these regions, G4 states have their strong regional rivals. The alignment of regional rivals with other likeminded countries in the other regions has expanded the scope of opposition from the simple issue of UNSC expansion to diplomatic and political competitions.

In the South Asian region, Pakistan and India play an important role in the peace and stability of the region. Conversely, the conflict between these two countries can destabilize the peace and security of the entire South Asian region. Furthermore, in East Asia, South Korea and China are opposing Japan's candidacy for the permanent membership.¹⁹¹ Unfriendly relations among these three Asian giants have the potential to cast a negative impact on the regional security and economy.

The AU has so far maintained appreciable unity due to its consistent demand for permanent membership with veto power and demand to select the permanent members on a rotational basis. However, this unity is likely to be shattered once the AU announces its candidate for the permanent membership. Some internal division has been witnessed over the rigid AU stance. For example, to block South Africa and Egypt candidacy, Senegal also wishes to be a candidate for permanent membership of the UNSC from Africa.¹⁹² The division will further widen once the AU finalizes the candidates.

Current proposals for expansion of the UNSC will affect the regional balance of power. For example, Germany's admission to the council as a permanent member would give an additional seat to already overrepresented Western Europe. Accordingly, Japan and India would raise the number of Asian seats from two to three. By contrast, Latin America would have only one seat. In total, Africa and Latin America would have three seats; whereas, Europe would

¹⁹¹ Vicente, "United Nations Security Council Reform," 19–38.

¹⁹² Imber, "Reform," 328–334.

have four. If examined from the perspective of international alliances and cooperation, an international coalition led by the United States would have a clear edge over its close rivals, Russia and China. All four new contenders, India, Japan, Germany, and Brazil, are seen as part of the U.S. coalition that will further strengthen the United States globally.

Over the issue of UNSC expansion, the member states are divided into three major groups: G4 countries, Ufc countries, and AU. Apart from these major groups, certain other groups such as Arab countries and the Organization of Islamic Countries (OIC)—demand a permanent UNSC seat for Arab and Islamic countries, respectively.¹⁹³ The countries that seek permanent seats such as the G4 and AU support the expansion of the UNSC even in the absence of consensus among member states through majority vote, required under Article 39 of the U.N. charter.

The G4 countries are desperately pushing the reform process, as these countries are the main beneficiaries of the current reform process. These countries, while agreeing that permanent membership is undemocratic and veto power is against the sovereign equality of the member countries, demand the same for themselves. While collectively seeking to secure a permanent seat, G4 countries make their individual claims as well.

Furthermore, Europe with 35 states and less than 20 percent of the world population currently holds three permanent seats—about 60 percent of the UNSC membership—however; with the addition of Germany, the representation of Europe would further increase to four permanent seats.¹⁹⁴ Furthermore, admission of Japan and Germany as new permanent members would tilt the balance in favor of overrepresented industrialized countries. Accordingly, change in the current composition of the UNSC and distribution of seats based on geographical representation would upset the regional balance of power. For

¹⁹³ Jiang, “U.N. Security Council Reform,” 1–5.

¹⁹⁴ Russett, O’Neill, and Sutterlin, “Breaking the Security,” 65–80.

example, the current proposal by G4 countries would give an additional seat to Western Europe, which is already overrepresented.

The AU demand for veto power has damaged consensus between the AU and G4 members. The G4 countries had relied on the support of the AU for the required two-thirds majority in the UNGA for passage of resolution for amendment of the charter.

V. CONCLUSIONS AND WAY FORWARD

Although most of the states agree to reforming and expanding the U.N. Security Council, the expansion of the UNSC appears to be one of the most controversial issues of the reform process. According to Hosli et al., “Changing the composition and voting system of the Security Council, in an effort to increase the institution’s global legitimacy, is proving to be the one of the most difficult hurdles to overcome for global community of states represented in the U.N.”¹⁹⁵ Due to conflicting interests of various groups and states, the current reform process of the UNSC has not made visible progress in the last two decades of intense efforts and negotiations. Swart states, “The lack of substantial outcome during the last 20 years of Security Council reform deliberations... seems not only a consequence of the intense power struggle being waged between groupings of Member States, but also rests on substantive and strategic differences among those professing to share specific goals.”¹⁹⁶

The P5 countries are against any type of expansion that erodes their unique power and dominance.¹⁹⁷ The permanent members have consistently rejected all efforts in the past to guard and protect their special privilege.¹⁹⁸ According to Okhovat, “The initial reason for the inclusion of this power [veto power] in the Charter was to prevent the U.N. to take direct action against any of

¹⁹⁵ Madeleine O. Hosli et al., “Squaring the Circle? Collective and Distributive Effects of United Nations Security Council Reform,” *The Review of International Organizations* 6, no. 2 (July 2011).

¹⁹⁶ Lydia Swart, “Reform of the Security Council: 2007–2013,” in *Governing & Managing Change at the United Nations: Reform of the Security Council from 1945 to September 2013*, eds. Lydia Swart and Estelle Perry, Vol. 1 (New York: Center for U.N. Reform Education, September 2013): 25.

¹⁹⁷ Thomas G. Weiss and Karen E. Young, “Compromise and Credibility: Security Council Reform?” *Security Dialogue* 36, no. 2 (2005), 131–154.; Bardo Fassbender, “All Illusions Shattered? Looking Back on a Decade of Failed Attempts to Reform the U.N. Security Council,” *Max Planck Yearbook of United Nations Law Online* 7, no. 1 (2003), 183–214.

¹⁹⁸ Weiss and Young, “Compromise and Credibility: Security Council Reform?”, 131–154.

its principal founding members.”¹⁹⁹ Additionally, as previously noted, the P5 members argue that they draw legitimacy from the Charter, and that the power sharing formula, agreed in San Francisco in 1945, can be altered only through charter amendment.²⁰⁰ Many scholars view permanent membership as undemocratic and unsupportive of the concept of sovereign equality of the states; however, it is difficult to undo this situation due to difficult amendment procedure of the U.N. Charter. In the same context, adding more permanent members to the UNSC would also impinge on the sovereign equality of the states.

The reform proposals of the U.N. HLP and aspirants’ countries will benefit only those countries that succeed in getting permanent seats at the UNSC and not the regions that the permanent members are selected from. The selection of a specific country from a particular geographic region does not mean that that country would be representative of that region. Furthermore, countries selected as permanent members have no obligation to look after the interests of their respective regions. After being selected as permanent members, member states are not accountable to the region—only nonpermanent members remain accountable to the regions for their reelection. Furthermore, most of the states are involved in various conflicts with the regional countries, and are therefore likely to use the permanent membership to influence the outcome of any dispute in their favor. Careful analysis reveals that P5 countries have cast vetoes against countries of their own, respective regions. Recently, Russia has vetoed a resolution on Ukraine in order to block discussion on the annexation of Crimea.²⁰¹

Over time, aspirant countries’ relative military and economic powers may change, and this may change the bases of their demands and eventually make

¹⁹⁹ Sahar Okhovat, *The United Nations Security Council: Its Veto Power and its Reform* Centre for Peace and Conflict Studies, The University of Sydney, 2012), 11.

²⁰⁰ Luck, *Reforming the United Nations: Lessons from a History in Progress*.

²⁰¹ Oludoun, “Peace and Security as a Catalyst,” 79–81.

their claims irrelevant.²⁰² The countries that qualify today for permanent seats may not hold their same relative power status in the future. For example, the UK and France were both major economic and military powers when the U.N. was established; now other countries such as Japan, Germany, India, and Brazil have overtaken both these countries. This demonstrates that economic and military strengths are variable factors that constantly evolve. For instance, in the future, the second-tier countries such as Italy, Pakistan, South Korea, Spain, Argentina, Canada, and Indonesia may achieve similar status as that of current rising powers. So these countries will demand permanent membership for the same reasons. In this context, Nadin argued, “In 20–30-40 years, new emerging countries such as Indonesia, Mexico, South Korea and Turkey might ask the same question: ‘Why aren’t we on the Council?’ And so the reform debate will begin again.”²⁰³

The next-tier countries fear that if the council is enlarged in the permanent category it will diminish their current influence. Additionally, these countries see no hope of another expansion of the UNSC even if the power structure changes because the permanent members, in all probability, would not agree to another charter amendment for the same reasons.

Most of the UNSC’s failures are attributed to lack of consensus among P5 members and not due to the broad-based representation. Furthermore, the large size of the UNSC would be ineffective to deal with its responsibility of preventing threats to peace. Expansion of the permanent membership of the UNSC would make the consensus among permanent members to reach an agreement on important disputes difficult. Often, the P5 members have failed to agree on important resolutions pertaining to peace and security, so in a similar situation it would be even more difficult for an expanded UNSC to achieve consensus. For instance, the council failed to take action in Rwanda to prevent genocide due to

²⁰² Swart and Pace, “Changing the Composition,” 2.

²⁰³ Peter Nadin, “United Nations Security Council Reforms,” *United Nations University* (2014), <http://unu.edu/publications/articles/united-nations-security-council-reform.html#info>.

the P5's indifference and lack of interest, and not because of implementation and execution of UNSC's resolutions.

The expansion of the UNSC's permanent category has divided the member states in many different ways. On the one hand, the P5 members resist the extension of veto power, and on the other hand, G4 countries and the AU members demand permanent membership including veto power. Similarly, the Ufc countries are not only against the extension of veto power but also against the permanency of the UNSC's membership. While the veto power and permanent membership are outdated and undemocratic, the addition of new permanent members, without veto power, according to Luck, "would further fragment and add yet another layer to the already divisive power structure of the council."²⁰⁴ Thus, the multilayer council, with power concentrated in the hands of only the P5, would be slow in making important decisions, essential for the maintenance of peace.²⁰⁵

The main reasons given by the aspirant countries for the demand of expansion of the UNSC into permanent categories are contradictory and are dividing the member states. In the final conclusion of this study of the UNSC's expansion, it is essential to evaluate the main reasons for expanding the UNSC, such as the small size of the council versus overall membership of the UNSC, lack of regional representation, and change of global power structure. In addition, the main impediments that have held the reform process and divided the member states and regions must also be reviewed.

A. SIZE OF THE COUNCIL VERSUS OVERALL MEMBERSHIP

Demand for the expansion of the UNSC on the basis of the small size of the council is unrealistic, because even after the addition of six more permanent members, the council would still remain small. For example, the current council

²⁰⁴ Luck, *Reforming the United Nations: Lessons from a History in Progress*, 15.

²⁰⁵ Ibid.; Fassbender, *All Illusions Shattered? Looking Back on a Decade of Failed Attempts to Reform the U.N. Security Council*: 183–214.

represents approximately 8% of the overall membership; whereas after the addition of six more permanent members, the council representation would rise to approximately 13%—which is not a significant increase as compared to the overall membership of the council. For example, in 1945, the permanent members accounted for 22% of the total membership. Conversely, 25 members would make the size of the council too large for quick and timely decision-making, which is essential for making prompt decisions to prevent threats to peace and security.

The addition of more permanent members would further disturb the existing balance between permanent and nonpermanent members of the UNSC and would tilt the balance in favor of permanent members. For example, after the addition of six more permanent members to the council, the remaining 182 members of UNGA would be left to compete for just 11 nonpermanent seats.

The current expansion in the permanent category would add six more members—the G4 plus two countries from Africa.²⁰⁶ The addition of these countries, it is argued, will ensure broad-based support of the U.N. decision and would ultimately provide legitimacy to the council decisions, especially in the security area. However, if critically analyzed, support of six additional members would prevent rather than encourage active opposition of more than a dozen equally important countries such as Pakistan, Malaysia, Indonesia, Italy, Spain, Portugal, Canada, South Korea, Argentina, Mexico, and Colombia.

Unfortunately, there is a consistent struggle between rising powers—likely contenders for the UNSC permanent membership—and the challenger or second-tiered countries. For previously referenced reasons, there is always a strong opposition to reforming the UNSC, especially its expansion. According to Luck, “The universality of the United Nations has fueled dual pattern on the intergovernmental level: frequent calls for change by one Member state or group

²⁰⁶ Luck, “How Not to Reform the United Nations,” 407–414; U.N. High-level Panel on Threats, Challenges and Change.

or another, followed by blocking moves by others with divergent interests or perspectives.”²⁰⁷

The UNSC’s expansion is a political process and not an administrative exercise to improve efficiency and effectiveness of the council, but rather a method for influential countries to gain more power at the global level. For quick and efficient council, the size has to be small. However, in order to accommodate a greater number of important countries to accrue their financial and military support for the implementation of the UNSC’s decisions, the change is considered *sine qua non*. It is not necessarily true that an enlarged council would be more efficient. For instance, the ECOSOC was enlarged in 1965 through the charter amendment, but its efficiency dropped since it was enlarged from 27 to 54 members.²⁰⁸

B. REGIONAL REPRESENTATION

Regional representation at the UNSC has fragmented regional peace and divided countries in various groups at the regional level. The selection of countries as permanent members to improve representation of the underrepresented regions would create division within the region and would change regional balance and make council ineffective with regards to its primary responsibility of maintaining peace. The new permanent members from various regions would tend to guard their national interest and, as a result, would paralyze the council in the security field. For example, the new members from Africa, Asia, and Latin America would block resolutions that with current membership could pass.

Permanent membership runs counter to the democratic spirit of accountability and equality. The permanent members are not accountable to their electors and therefore do not feel obligated to look after the region. In democracy, elected members are accountable to their electors—in this the

²⁰⁷ Luck, “Reforming the United Nations,” 2.

²⁰⁸ Ibid.

member states—but in case of permanent membership, the permanent members are not accountable to their electors and thus feel no obligation to look after their regions' interests. The new permanent members should be accountable to the regional countries to strengthen the regional organization.

C. CRITERIA FOR THE SELECTION OF NEW PERMANENT MEMBERS

Although G4 countries are the rising economic and military powers and have made significant contributions toward maintenance of peace and security, these countries do not fulfill all the criteria mentioned in the UNSG report, “In larger freedom.”²⁰⁹ For example, Japan and Germany are top financial contributors to the U.N.-assessed budget, but their troop contributions for the U.N. peacekeeping operations are negligible. Similarly, India is among the top TCC but its financial contribution to the U.N.-assessed budget is just 0.666 percent of its GDP—below South Korea (1.994 percent), Italy (4.448 percent), Mexico (1.842 percent), Canada (2.984 percent), Spain (2.973 percent), Turkey (1.328 percent), and Switzerland (1.047 percent).²¹⁰

Furthermore, the United States has given its own selection criteria for the selection of new permanent members, which includes “GDP, population, military capacity, contribution to peacekeeping, commitment to the democracy and human rights, financial contributions to the U.N., non-proliferation and counter-terrorism record, and geographic balance.”²¹¹ So far, the United States has supported India and Japan for permanent membership.

Permanent members of the UNSC are seen as global players due to the powers and role of the UNSC in the important responsibility of maintaining peace and security in the world. These countries need to compete at the global rather than regional level. For example, any country to be selected to represent Africa

²⁰⁹ Annan, “In Larger Freedom,” 63–74.

²¹⁰ Peter Nadin, “United Nations Security Council Reform,” United Nations University (2014), available at, <http://unu.edu/publications/articles/united-nations-security-council-reform.html#info>.

²¹¹ “U.S. Views on U.N. Reform, Security Council Expansion.” 906–908, <http://www.jstor.org.libproxy.nps.edu/stable/3396686>;

as a permanent member would be much less suitable than some of the other countries in various other regions. For example, South Korea, Spain, Italy, and Indonesia contribute much more than any African countries, but these countries would not be selected because India and Japan are strong candidates from Asia. The regional-based selection of permanent members would create dissension and disappointment among important and influential regional countries, which would weaken regional balance and affect cooperation.

D. THE WAY FORWARD

The decades of serious attempts to enlarge the UNSC's permanent category have not made any visible progress due to conflicting interests of important member states. Additionally, resistance by the P5 to share its powers and the difficult procedure to amend the charter to add more permanent members has stalled the reform process. The inequality among member states, though an undemocratic exercise, was accepted under the extraordinary situation of World War II. The 51 member states that participated in the formation conference of the U.N. were either allies of the P5 or were too weak to challenge the power states that had proved their military might during WW II. However, it is difficult for member states to agree to such inequality today.

Under current circumstance, the way forward in the UNSC reform process is to enlarge the nonpermanent category. However, to provide stability to the nonpermanent category of the membership, the term of nonpermanent elected council members may be enhanced from the current two years to four or five years with the provision of immediate reelection. This change would reduce frustration among the rising powers and provide equal opportunity to all countries that are performing efficiently at the council. This process would also enable the member states to vote out those countries that have consistently failed to perform per the wishes and expectation of the majority of member states.²¹²

²¹² VICENTE, "United Nations Security Council Reform" 20.

Enlargement of the UNSC's nonpermanent category is not opposed by the P5 members.

Furthermore, nonpermanent members will be accountable to their small regional countries for reelection, which will strengthen the regional organization. The strong regional organization would enhance UNSC capacity to deal quickly and efficiently with any threat to peace. Furthermore, Article 52 of the U.N. Charter recognizes the role of the regional organizations in maintenance of peace.²¹³ According to the U.N. Charter, "Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security... provided that such arrangements are consistent with the purposes and principles of the United Nations."²¹⁴

E. REFLECTIONS: IMPLICATIONS FOR THE SOUTH ASIAN REGION AND PAKISTAN IN CASE INDIA BECOMES A PERMANENT MEMBER

1. Implications for the South Asian Region

India is a big country and has remained relatively democratic since its independence in 1947. It has contributed a large troop commitment toward the U.N. peace efforts in the world. India has provided leaders for both civilian and military leadership to the U.N. India has the third-largest military and is bracing to become a rising economic power in the world. India, along with the other G4 countries, is striving for permanent membership in the UNSC, which will further increase its influence in the world and South Asian region.

India, however, has a number of disputes with its small regional countries, especially Pakistan. Interestingly, all South Asian countries border India, but do not have contiguous borders with each other. Therefore, most of the South Asian countries, being India's neighbor, depend on India's support for their security and

²¹³ The U.N., Charter of the United Nations, U.N. Document, available at, <http://www.un.org/en/sections/un-charter/chapter-viii/index.html> (Accessed on 2 November 2015).

²¹⁴ Ibid.

economic assistance. For instance, Nepal and Bhutan are landlocked countries and depend on Indian seaports for their trade. Additionally, Bangladesh has unresolved border and water dispute with India. Similarly, Sri Lanka has suffered from Tamil's insurgency that was supported by India.

Both India and Pakistan have failed to resolve their disputes peacefully and have fought four major wars over these disputes since 1947. As an influential regional state, India has failed to play the required leadership role to amicably solve its problems with its small neighbors. India, however, considers that its neighbours are its enemies and regards them as subordinate states. Thus, India's permanent membership of the UNSC will have serious implications for the South Asian region.

India will pursue its own interest and objectives and will not pay any heed to regional issues, involving smaller regional states. In the past, India has violated UNSC's resolution and is not likely to respect these resolutions in the future as well. India can isolate and intimidate smaller regional states through economic strangulation and by involving them in political problems and disputes. India can politically and militarily interfere in the internal affairs of smaller regional countries on various pretexts, and at the same time can prevent U.N. intervention through India's influence as a permanent member. Giving a permanent seat to India at this stage would likely raise the chances of serious armed conflicts in the region.

2. Implications for Pakistan

India has a complex and troubled relationship with Pakistan. It began with the single dispute of Kashmir²¹⁵ in 1947, but after half a century and four wars, more disputes have emerged in the process, and there is a likelihood of further proliferation of these disputes. The entry of India into the UNSC as its permanent member would greatly upset Pakistan's economic and foreign policy objectives and would have the following implications for Pakistan.

²¹⁵ Also see footnote 86.

a. Kashmir

Kashmir is the major dispute between Pakistan and India. Pakistan wants a just resolution of the Kashmir dispute in accordance with the spirit of UNSC resolutions—the UNSC resolution maintained the issue of Jammu and Kashmir be determined through plebiscite as per the wishes of the people of Kashmir. The U.N. HLP report also refers to the Kashmir dispute as one of the “oldest and unresolved disputes on the UNSC agenda.”²¹⁶ To silence the popular demand of the people of Jammu and Kashmir, India has deployed a huge military contingent, which is involved in the worst kind of human right violations. According to Noorani, “Indian Security Forces have systematically, and with impunity, perpetrated outrageous violations of human rights in the [Kashmir] valley.”²¹⁷ Today, Pakistan and India are nuclear power; even small conflict may conflagrate to nuclear exchange which will devastate the entire South Asian region. Without settlement of the Kashmir dispute, use of force cannot be ruled out. Noorani contends that, “It is reasonable to conclude that relations between India and Pakistan will never be normal until the Kashmir dispute is settled.”²¹⁸

Without resolution of the Kashmir dispute, India does not qualify to be a member of the UNSC. India has refused to implement the resolutions of the UNSC over settlement of the Kashmir dispute. It would be unjust to award membership of the council to a country that has violated its resolution. As a permanent member of the UNSC, India can influence favorable decisions at the UNSC over Kashmir. Furthermore, India, due to its strong conventional military, can resort to the use of force on the pretext of pre-emption or hot pursuit to coerce Pakistan to change its stance on Kashmir in favor of India.

²¹⁶ U.N. High-level Panel on Threats, Challenges and Change.

²¹⁷ Abdul Gafoor Noorani, *Easing the Indo-Pakistani Dialogue on Kashmir: Confidence-Building Measures for the Siachen Glacier, Sir Creek and the Wular Barrage Disputes* (Washington, D.C.: Henry L. Stimson Center, 1994): 4, <http://www.stimson.org/images/uploads/research-pdfs/occasionalpaper16.pdf>.

²¹⁸ *Ibid.*

India has been able to draw out the issue of Kashmir for over 68 years, intending to wait for the opportune moment to accrue maximum benefit. The permanent seat at the Council is one such moment through which India can extract a favorable outcome. The UNSC Resolution 38²¹⁹ is the oldest resolution of the UNSC, which is still waiting for its final and just disposal. India has rejected the role of the international community and considers the Kashmir dispute to be a bilateral issue between India and Pakistan. Unfortunately, however, the bilateralism has failed because of India's brinkmanship and failure to accept Kashmir as a disputed territory.

b. Economic Implications

The economic power of India backed by strong diplomatic weight could be devastating for Pakistan's economy. India could destroy Pakistan's economy by making Pakistan run dry by stopping the flow of western rivers, guaranteed to Pakistan under bilateral treaty between India and Pakistan—the Indus Water treaty (IWT). By disregarding the international binding of the World Bank as Guarantor in the IWT, India could obliterate the agro-based economy of Pakistan, which is a mainstay of Pakistan's economy. The permanent membership would afford India an enormous advantage to block resolutions brought before the UNSC by Pakistan. Furthermore, as a permanent member of the UNSC, India could use its influence over international financial institutions, such as the International Monetary Fund (IMF) and the World Bank to prevent Pakistan's access to these institutions; this would greatly damage Pakistan's already weak economy.²²⁰ Likewise, all permanent members are represented on various committees.

²¹⁹ The U.N. documents, available at, <http://www.un.org/documents/sc/res/19481scres48.htm>.

²²⁰ Sarwar, "Expansion," 257–279.

c. Sachin and Sir Creek Issues

The Indian Army secretly occupied Siachin Glacier²²¹—a glaciated portion of Himalayan mountain range, between India and Pakistan, which was an undemarcated portion of the India–Pakistan border—a no-man’s-land. India’s unilateral action in Siachin created a new issue in Pakistan–India relations.²²² India could influence the outcome of Siachin to its liking if it became a permanent member of the UNSC.

Sir Creek²²³ is an issue of demarcation of the water channel between Pakistan and India. The creek was part of the Sindh Province of Pakistan before the independence of India and Pakistan; however, India has consistently refused to accept that demarcation and has instead been demanding possession of the complete creek.²²⁴ Since India and Pakistan’s independence, the issue remains unsettled between both countries. After becoming a member of the UNSC, India could assert greater diplomatic pressure on Pakistan to solve the issue in a manner that best suits India.

²²¹ Siachin Glacier is one of the largest glaciers in the world. It is also known as a “Third Pole.” The Glacier is 76 kilometers long and the width varies between 2 and 8 kilometers. It is an undemarcated area in the north of Pakistan and India. Both Pakistan and India dispute the status of the glacier due to the absence of a well-defined boundary. However, the Indian Armed Forces secretly occupied Siachin in 1984 without any provocation from Pakistan. Since then, the dispute has lingered on for more than three decades without any solution in sight. Both countries’ armies are fighting in extremely inhumane conditions. The height in most areas ranges up to 23,000 feet and the temperature drops as low as minus 50 Celsius. For details, see A.G. Noorani’s, “Easing the Indo–Pakistani Dialogue on Kashmir: Confidence-Building Measures for the Siachen Glacier, Sir Creek and the Wular Barrage Disputes.”

²²² Mushahid Hussain, “The Kashmir Issue: Its New International Dimensions,” *Perspectives on Kashmir: the Roots of Conflict in South Asia*, Hrsg. V.Raju GC Thomas, Boulder/Oxford (1992), 341–349.; Mushahid Hussain, “Pakistan’s Quest for Security and the Indo-US Nuclear Deal,” *The Korean Journal of Defense Analysis* 18, no. 2 (2006), 117–137.

²²³ The Sir Creek is the issue of demarcation of maritime and land border between India and Pakistan. The area is located in the south closer to the Arabian Sea, between the Indian states of Gujrat and the Sindh Province of Pakistan. Both Pakistan and India dispute the location of the boundary that divides the Creek. For details, see “Easing the Indo–Pakistani Dialogue on Kashmir: Confidence-Building Measures for the Siachen Glacier, Sir Creek and the Wular Barrage Dispute,” by A.G. Noorani.

²²⁴ Muhammad Ali, “Maritime Issues between Pakistan and India: Seeking Cooperation and Regional Stability” (Master’s thesis, Naval Postgraduate School, 2012): 1–99, <http://hdl.handle.net/10945/27783>

India's entry into the elite club would greatly upset Pakistan's security and economic concerns and would create an imbalance in the region. India's permanent membership of the UNSC would cause further proliferation of disputes in the region, especially between India and Pakistan. To qualify for the permanent membership of the UNSC, India must solve main disputes such as Kashmir, Siachen, and Sir Creek.

Pakistan, as a key regional country, must continue to work closely with members of the Ufc group to argue in favor of increase of non-permanent and non-permanent membership of the UNSC to block India's entry as a permanent member. Pakistan and the Ufc members must try to capitalize on the differences between the G4 and the AU to prevent G4 states from achieving the required two-thirds majority at the UNGA.

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